



State of New Jersey

DEPARTMENT OF BANKING AND INSURANCE

OFFICE OF THE COMMISSIONER

PO Box 325

TRENTON, NJ 08625-0325

TEL (609) 633-7667

MIKIE SHERRILL
Governor

SUSAN OCHS
Acting Commissioner

DR. DALE G. CALDWELL
Lt. Governor

BULLETIN NO. 26-02

TO: LICENSED INSURANCE PRODUCERS, TRAVEL ADMINISTRATORS, TRAVEL RETAILERS, AND ALL INSURERS AUTHORIZED OR ADMITTED IN NEW JERSEY

FROM: SUSAN OCHS, ACTING COMMISSIONER

RE: TRAVEL INSURANCE ACT, N.J.S.A. 17:46E-1 TO -9

The purpose of this bulletin is to provide guidance regarding N.J.S.A. 17:46E-1 to -9, the Travel Insurance Act (“Act”), which will become effective on April 18, 2026. The Act’s purpose is to promote the public welfare by creating a comprehensive legal framework within which travel insurance¹ may be sold in New Jersey. The Act applies to travel insurance policies that cover any New Jersey resident, and are sold, solicited, negotiated, or offered in New Jersey, and policies and certificates that are delivered or issued for delivery in New Jersey. N.J.S.A. 17:46E-2.

The Department of Banking and Insurance (“Department”) will promulgate regulations to effectuate the purposes of the Act. Prior to the promulgation of regulations, insurance producers, travel retailers, travel administrators, and insurers must still comply with the Act.

Producer License Requirements

A producer license is required to sell, solicit, or negotiate; or to act as a travel administrator² who directly or indirectly underwrites, collects charges, collateral, or premiums from, or adjusts or

¹ Travel insurance is defined as “insurance coverage for personal risks incident to planned travel, including: interruption or cancellation of trip or event; loss of baggage or personal effects; damages to accommodations or rental vehicles; sickness, accident, disability or death occurring during travel; emergency evacuation; repatriation of remains; or any other contractual obligations to indemnify or pay a specified amount to the traveler upon determinable contingencies related to travel as approved by the commissioner. Travel insurance does not include major medical plans that provide comprehensive medical protection for travelers with trips lasting longer than six months, including, for example, those working or residing overseas as an expatriate or any other product that requires a specific insurance producer license.” N.J.S.A. 17:46E-3.

² A person shall not be considered a travel administrator if that person’s only actions that would otherwise cause it to be considered a travel administrator are among the following: a person

settles claims on, residents of this State in connection with travel insurance. (collectively, “Travel Insurance Producer”). N.J.S.A. 17:46E-4a; N.J.S.A. 17:46E-8a. Individuals or business entities must be licensed in New Jersey as an insurance producer with authority in property or casualty or limited lines travel insurance to sell, solicit, or negotiate travel insurance. N.J.S.A. 17:46E-4a; N.J.S.A. 17:46E-4g. A travel administrator must be licensed as insurance producer with authority in property and casualty, or act in the capacity of a managing general agent pursuant to N.J.S.A. 17:22C-2; N.J.A.C. 11:17-6.3. See, N.J.S.A. 17:46E-8a.

Travel Insurance Producer Responsibilities

The Act imposes several responsibilities on Travel Insurance Producers. A Travel Insurance Producer must take certain steps, including designating a responsible producer, paying licensing fees, establishing a register of each travel retailer, and requiring travel retailers’ employees and representatives to receive training as described below before a travel retailer can offer and disseminate travel insurance under the Travel Insurance Producer’s business entity license. The Travel Insurance Producer is also responsible for the travel retailer’s insurance-related conduct.

Designated Responsible Producer

Travel Insurance Producers must designate a “designated responsible producer.” This individual shall be accountable for ensuring the producer’s compliance, as well as that of its registrants, with all applicable travel insurance laws and regulations. N.J.S.A. 17:46E-4b(3). The designated responsible producer president, secretary, treasurer, and any other officer or person who directs or controls the Travel Insurance Producer’s insurance operations must comply with the fingerprinting requirements applicable to insurance producers in the resident state of the limited lines travel insurance producer. N.J.S.A. 17:46E-4b(4). The Travel Insurance Producer must also pay all applicable licensing fees. N.J.S.A. 17:46E-4b(5).

Register of Travel Retailers

While a Travel Insurance Producer has been required to establish and maintain a register of each travel retailer that offers insurance on its behalf pursuant to N.J.A.C. 11:17-2.4(b), the register is now on a form prescribed by the Commissioner of the Department (“Commissioner”). N.J.S.A. 17:46E-4b(2). The Travel Insurance Producer must also certify that the travel retailers comply with 18 U.S.C. § 1033. *Ibid.* The Travel Insurance Producer must submit the register to the Department upon reasonable request. *Ibid.* The register is attached hereto as Appendix A.

working for a travel administrator to the extent that the person’s activities are subject to the supervision and control of the travel administrator; an insurance producer selling insurance or engaged in administrative and claims-related activities within the scope of the producer’s license; a travel retailer offering and disseminating travel insurance and registered under the license of a limited lines travel insurance producer in accordance with P.L.2025, c.153 (C.17:46E-1 et seq.); an individual adjusting or settling claims in the normal course of that individual’s practice or employment as an attorney-at-law and who does not collect charges or premiums in connection with insurance coverage; or a business entity that is affiliated with a licensed insurer while acting as a travel administrator for the direct and assumed insurance business of an affiliated insurer. N.J.S.A. 17:46E-3.

Training of Travel Retailers

The training that a Travel Insurance Producer requires of each travel retailer employee whose duties include offering and disseminating travel insurance under N.J.A.C. 11:17-2.4(b)2 must now include, at a minimum, adequate instructions on the types of insurance offered, ethical sales practices, and required disclosures to prospective customers. N.J.S.A. 17:46E-4b(6).

Responsible for Conduct of Travel Retailers

Travel Insurance Producers are responsible for the insurance-related conduct of all travel retailers registered with the licensee, and the travel retailer's employees and authorized representatives. N.J.A.C. 11:17-2.4(b)4; N.J.S.A. 17:46E-4f.

Travel Retailers

A travel retailer is a business entity that makes, arranges, or offers planned travel and may offer and disseminate travel insurance as a service to its customers on behalf of and under the direction of a Travel Insurance Producer. N.J.S.A. 17:46E-3.

A travel retailer who is not licensed as an insurance producer cannot evaluate or interpret the technical terms, benefits, and conditions of the offered travel insurance coverage; evaluate or provide advice concerning a prospective purchaser's existing insurance coverage; or hold itself out as a licensed insurer, licensed producer, or insurance expert. N.J.S.A. 17:46E-4d.

A travel retailer and its employees may offer travel insurance if they are properly registered with a Travel Insurance Producer. N.J.A.C. 11:17-2.4. Travel retailers must also comply with 18 U.S.C. §1033, which prohibits a person who has been convicted of a felony involving dishonesty or a breach of trust from engaging in the business of insurance without having first obtained the written consent of the Commissioner. In order to satisfy this requirement, said person must apply for a waiver under N.J.A.C. 11:17E-1.1 to -1.7.

Provision of certain materials to prospective purchasers and purchasers of travel insurance

Travel retailers shall make available to prospective purchasers written materials that have been approved by the travel insurer. Pursuant to N.J.S.A. 17:46E-4c, the materials must include information that, at a minimum, provide:

- the identity and contact information of the insurer and the limited lines travel insurance producer;
- explains that the purchase of travel insurance is not required in order to purchase any other product or service from the travel retailer; and
- explains that an unlicensed travel retailer is permitted to provide only general information about the insurance offered by the travel retailer, including a description of the coverage and price, but is not qualified or authorized to answer technical questions about the terms and conditions of the insurance offered by the travel retailer or to evaluate the adequacy of the customer's existing insurance coverage.

A travel retailer or Travel Insurance Producer is required to ensure that purchasers of travel insurance receive, at a minimum, all the information regarding: a description of the material terms or the actual material terms of the insurance coverage; how to file a claim; how to review or cancel

the travel insurance policy; and the identity and contact information of the insurer and limited lines travel insurance producer. N.J.S.A. 17:46E-4b(1). These materials shall be provided to a policyholder or certificate holder as soon as practicable, following the purchase of a travel protection plan. N.J.S.A. 17:46E-7c(3).

Prohibited Conduct

All persons offering travel insurance to New Jersey residents are subject to N.J.S.A. 17:29B-3, which prohibits persons from engaging in any unfair method of competition or an unfair or deceptive act or practice in the business of insurance. N.J.S.A. 17:46E-7. For example, offering or selling a travel insurance policy that could never result in payment of any claims, and marketing blanket travel insurance coverage as free are unfair trade practices. N.J.S.A. 17:46E-7b, e.

Insurers

The insurer is responsible for approving the written materials which travel retailers must make available to prospective purchasers pursuant to N.J.S.A. 17:46E-4c.

An insurer is responsible for the acts of a travel administrator who administers travel insurance underwritten by the insurer. N.J.S.A. 17:46E-8b. The insurer is also responsible for ensuring that the travel administrator maintains all books and records relevant to the insurer, which must be made available by the travel administrator to the Commissioner upon request. Ibid.

Classification and Filing of Rates, Rules, and Forms

Travel insurance shall be classified and filed for purposes of rates and forms under a personal inland marine line of insurance or an accident and health line of insurance. N.J.S.A. 17:46E-9a. Insurers must file their rates, rules, and forms through the System for Electronic Rates and Forms Filing (“SERFF”). Travel policies providing coverage for only accident and sickness must be filed as an accident and health policy. All other travel policies must be filed as a personal inland marine policy.

All individual product filings under the Act must comply with the laws governing individual filings, and all group product filings under the Act must comply with the laws governing group filings, pursuant to N.J.S.A. 17:29A-1 et. seq., N.J.S.A. 17B:26-1 et. seq., and N.J.S.A. 17B:27-26 et. seq., regardless of which line of insurance is used for the filing.

If filing under a personal inland marine, insurers should choose the type of insurance (“TOI”) of 09.0 Inland Marine, and the Sub-TOI of 09.0009 Travel Coverage. If filing under health, insurers should choose the TOI of H19G Group Health – Travel.

Filings must also include a certification signed by a responsible officer of the insurer that the forms comply with all laws, rules, bulletins, and published guidelines applicable to the particular type of form. The certification may be included in the text of the cover letter if the cover letter is signed by a responsible officer of the insurer.

When submitting filings, insurers must clearly state what changes have been made from prior filings. Insurers should not include any revisions to the rating systems other than those required to provide the certification. Any additional changes must be submitted separately through SERFF on a prior approval basis.

Products that were approved as of the effective date of the Act will continue to be in force as previously approved. Travel insurance products contained in a rider or as a part of another policy shall not be subject to the Act and shall continue to be governed by the laws applicable to that product type.

Premium Tax

An insurer shall pay a premium tax on travel insurance premiums paid by any of the following: an individual primary policyholder who is a resident of this State; a primary certificate-holder who is a resident of this State who elects coverage under a group travel insurance policy; or a blanket travel insurance policyholder that is a resident in or has its principal place of business or the principal place of business of an affiliate or subsidiary that has purchased blanket travel insurance in this State for eligible blanket group members, subject to any apportionment rules which apply to the insurer across multiple taxing jurisdictions or that permit the insurer to allocate premium on an apportioned basis in a reasonable and equitable manner in those jurisdictions. N.J.S.A. 17:46E-5a. Information regarding premium taxes is found in N.J.S.A. 54:18A-1 et seq.

4/1/2026
Date



Susan Ochs
Acting Commissioner

Jd travel ins bul/Bulletins



State of New Jersey
DEPARTMENT OF BANKING AND INSURANCE
PO Box 325
TRENTON, NJ 08625-0325

MIKIE SHERRILL
Governor

TEL (609) 292-7272

SUSAN OCHS
Acting Commissioner

DR. DALE G. CALDWELL
Lt. Governor

APPENDIX A

LIMITED LINES TRAVEL INSURANCE PRODUCER REGISTER

Pursuant to N.J.S.A. 17:46E-4b(2), at the time of licensure, the limited lines travel insurance producer shall establish and maintain a register of each travel retailer that offers travel insurance on the limited lines travel insurance producer's behalf. The limited lines travel insurance producer shall submit the register to the Department of Banking and Insurance upon reasonable request.

The list may be maintained on paper, on electronic media, or both.

I, _____ (name), as _____ (title) of _____ (business name), a licensed limited lines travel insurance producer in the State of New Jersey, hereby acknowledge that Attachment A is a complete and accurate register of travel retailers offering travel insurance on behalf of _____ (business name) as of _____ (date).

Pursuant to Section 1033 of Title 18 of the United States Code (18 U.S.C. § 1033), the undersigned Limited Lines Travel Insurance Producer hereby certifies the following:

- ☐ The travel retailers are not barred from participating in the business of insurance under 18 U.S.C. § 1033.
☐ The insurance producer has confirmed that no officer, director, employee, or controlling person has been convicted of a felony involving dishonesty or breach of trust and is prohibited from engaging in the business of insurance under 18 U.S.C. § 1033 without written consent from an insurance regulatory official.
☐ If applicable, any individual subject to 18 U.S.C. § 1033 has obtained the required written consent from the appropriate regulatory authority.

Signature: _____

Printed Name: _____

Business Name: _____

Title (please print): _____

Date: _____

