

**31A-22-1807 Requirements for sale of portable electronics insurance -- Policy provides primary coverage.**

- (1) At each location where a vendor offers portable electronics insurance to a customer, the vendor shall make available to a prospective customer written materials that:
  - (a) disclose that portable electronics insurance may provide a duplication of coverage already provided by the customer's homeowner's insurance policy, renter's insurance policy, private passenger motor vehicle policy, or other source of coverage;
  - (b) state that the enrollment by the customer in a portable electronics insurance program is not required in order to purchase or lease portable electronics;
  - (c) summarize the material terms of the portable electronics insurance coverage, including:
    - (i) the identity of the insurer;
    - (ii) the identity of the supervising entity;
    - (iii) the amount of any applicable deductible and how it is to be paid;
    - (iv) benefits of the coverage; and
    - (v) key terms and conditions of coverage, such as whether portable electronics may be repaired or replaced with similar make and model reconditioned or non-original manufacturer parts or equipment;
  - (d) summarize the process for filing a claim, including a description of how to return portable electronics and the maximum fee applicable in the event the customer fails to comply with any equipment return requirements; and
  - (e) state the cancellation rights under Subsection (2).
- (2) An enrolled customer may cancel enrollment for coverage under a portable electronics insurance policy at any time, and the person paying the premium shall receive a refund or credit of any applicable unearned premium.
- (3) Portable electronics insurance may be offered on a month to month or other periodic basis as a group or master commercial inland marine policy issued to a vendor of portable electronics for its enrolled customers. Notwithstanding any other provision of law to the contrary, forms for portable electronics insurance shall be filed with the commissioner in accordance with Section 31A-21-201, and rates for portable electronics insurance shall be filed in accordance with Section 31A-19a-203.
- (4) Eligibility and underwriting standards for customers electing to enroll in coverage shall be filed with the department for each portable electronics insurance program.
- (5) A policy of portable electronics insurance shall provide primary coverage in the event of a covered loss under more than one policy.

Enacted by Chapter 151, 2012 General Session