

1 DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
2 INSURANCE DIVISION

3
4 DIVISION 071

5
6 INSURANCE LICENSING

7
8 Portable Electronics

9 836-071-0550 (NEW)

10 Statutory Purpose and Authority

11 (1) OAR 836-071-0550 to 836-071-0570 apply to vendors who sell or lease portable
12 electronics devices, including but not limited to cell phones or electronic tablets, and wish
13 to issue, sell or offer for sale portable electronics insurance coverage.

14 (2) OAR 836-071-0550 to 836-071-0570 are adopted pursuant to the authority in section 7,
15 chapter 393, Oregon Laws 2011 and ORS 705.135, for the purpose of implementing
16 sections 1 to 7, chapter 393, Oregon Laws 2011.

17 Stat. Auth. : Section 7, Chapter 393, Oregon Laws 2011 & ORS 705.135
18 Stats. Implemented: Sections 1 to 7, Chapter 393, Oregon Laws 2011

19 836-071-0560 (NEW)

20 Limited License Application, Portable Electronics Insurance Coverage; Required
21 Information

22 (1)An applicant for a portable electronics limited license shall submit to the Director of the
23 Department of Consumer and Business Services a portable electronics limited license
24 application on the form entitled “Portable Electronics Insurance Vendor.” The form is set
25 forth on the Insurance Division Web site of the Department of Consumer and Business
26 Services at www.insurance.oregon.gov.

27 (2) In addition to the requirements in section 2(2)(b), chapter 393, Oregon Laws 2011, the
28 applicant shall include all of the following information in the limited license application:

29 (a) The applicant's corporate, firm or other business entity name, the business address, e-
30 mail address and telephone number of the principal place of business and the business
31 address and telephone number of each additional location at which the applicant will
32 transact business under the limited license.

33 (b) All assumed business names and other names under which the applicant will engage in
34 business under the limited license.

- 1 (c) Whether any of the following has occurred with respect to the applicant or the
2 employee, agent or authorized representative of the applicant that the applicant is
3 designating as being responsible for the applicant's compliance with chapter 393, Oregon
4 Laws 2011:
- 5 (A) Conviction of or indictment for a crime, including a felony involving dishonesty or a
6 breach of trust to which 18 U.S.C. sec. 1033 applies;
- 7 (B) A judgment entered against the applicant or person designated by the applicant as
8 being responsible for the applicant's compliance with sections 1 to 7, chapter 393, Oregon
9 Laws 2011, for fraud;
- 10 (C) A claim of indebtedness by an insurer or agent, and the details of any such
11 indebtedness; or
- 12 (D) Refusal, revocation or suspension of any license to act in any occupational or
13 professional capacity in this or any other state.
- 14 (d) All states and provinces of Canada in which the applicant currently holds a license to
15 engage in the transaction of insurance, or has held such a license within ten years prior to
16 the date of the application.
- 17 (e) Whether the applicant has ever filed for bankruptcy or been adjudged a bankrupt.
- 18 (f) The syllabus for the training program that is developed by the insurer or supervising
19 entity that issued the portable electronics insurance policy to the limited licensee.
- 20 (g) A certification by the supervising entity or the applicant that all employees, agents and
21 authorized representatives to be involved in the issuance, sale or offering for sale of
22 portable electronics insurance coverage to customers have completed or will complete the
23 training program under section 5(1)(b), chapter 393, Oregon Laws 2011, prior to issuing,
24 selling or offering for sale portable electronics insurance coverage.
- 25 (h) A certification by the supervising entity or the applicant that a copy of all written
26 disclosure materials, as required under section 4, chapter 393, Oregon Laws 2011, that are
27 currently being made available to prospective customers of portable electronics or have
28 been made available to prospective customers in the past, shall be maintained by the
29 supervising entity or the applicant. This information shall be maintained by the supervising
30 entity or the applicant for a period of seven years and must be provided to the Director,
31 upon request, within 21 calendar days.
- 32 (i) Any other information requested by the Director in the license application form.
- 33 (3) Each application shall be accompanied by a \$200 fee.

1 **(4) During the review of an application, the Director may require any other information**
2 **that the Director determines will assist consideration of the application.**

3 **Stat. Auth. : Section 7, Chapter 393, Oregon Laws 2011 & ORS 705.135**
4 **Stats. Implemented: Sections 1 to 7, Chapter 393, Oregon Laws 2011**

5 **836-071-0565 (NEW)**

6 **Limited License Renewal**

7 **(1) A limited license expires on the last day of the month in which the second anniversary of**
8 **the initial issuance date occurs. Thereafter, the limited license shall expire on the second**
9 **anniversary following each renewal.**

10 **(2) A limited licensee applying for renewal must submit the following to the Director:**

11 **(a) A completed renewal application on the form entitled “Renewal Notice for Portable**
12 **Electronics Insurance Vendors.” The renewal application will be sent by the Director to the**
13 **limited licensee prior to the expiration of the limited license. If mailed back to the Director,**
14 **the renewal application must be postmarked by the United States Postal Service or another**
15 **nationally recognized delivery service not later than the limited license expiration date.**

16 **(b) An updated certification by the supervising entity or the limited licensee that all**
17 **employees, agents and authorized representatives to be involved in the issuance, sale or**
18 **offering for sale of portable electronics insurance coverage to customers have completed or**
19 **will complete the training program under section 5(1)(b), chapter 393, Oregon Laws 2011,**
20 **prior to issuing, selling or offering for sale portable electronics insurance coverage.**

21 **(c) An updated certification by the supervising entity or the limited licensee that a copy of**
22 **all written disclosure materials, as required under section 4, chapter 393, Oregon Laws**
23 **2011, that are currently being made available to prospective customers of portable**
24 **electronics or have been made available to prospective customers in the past, shall be**
25 **maintained by the supervising entity or the applicant. This information shall be maintained**
26 **by the supervising entity or the applicant for a period of seven years and must be provided**
27 **to the Director, upon request, within 21 calendar days.**

28 **(d) A renewal fee of \$200.**

29 **(3) The Director may allow a limited licensee not more than 30 days after the limited**
30 **license expiration date to submit missing information on the renewal application form if**
31 **the renewal application, fees, certification and disclosure materials have been submitted on**
32 **or before the expiration date.**

33 **(4) The Director may request on the renewal application any information requested on the**
34 **original application for a limited license.**

1 **(5) An expired limited license may be renewed up to one year after the limited license**
2 **expiration date. The fee to renew an expired limited license is \$250.**

3 **Stat. Auth. : Section 7, Chapter 393, Oregon Laws 2011 & ORS 705.135**
4 **Stats. Implemented: Sections 1 to 7, Chapter 393, Oregon Laws 2011**

5 **836-071-0570 (NEW)**

6 **List of Employees Selling Coverage; Training Program**

7 **(1) A limited licensee shall maintain at all times standard operating procedures to assure**
8 **that all employees, agents and authorized representatives are authorized to issue, sell or**
9 **offer for sale portable electronics insurance coverage to a customer. The limited licensee**
10 **must provide a description of these procedures, upon request, to the Director within 21**
11 **calendar days.**

12 **(2) A limited licensee must ensure that the information required under section 5(1)(b),**
13 **chapter 393, Oregon Laws 2011, is included in any training program for the limited**
14 **licensee's employees, agents and authorized representatives who will be issuing, selling or**
15 **offering for sale portable electronics insurance coverage.**

16 **Stat. Auth. : Section 7, Chapter 393, Oregon Laws 2011 & ORS 705.135**
17 **Stats. Implemented: Sections 1 to 7, Chapter 393, Oregon Laws 2011**

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