

Enrolled House Bill 3619

Sponsored by COMMITTEE ON BUSINESS AND LABOR

CHAPTER

AN ACT

Relating to insurance adjusters; amending ORS 744.515.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 744.515 is amended to read:

744.515. (1) A licensed resident insurance producer or salaried employee or officer of an authorized insurer may adjust and settle losses for the insurer that the insurance producer, employee or officer represents, without obtaining an adjuster's license.

(2) A person may make one adjustment before obtaining an adjuster's license if the person applies for the license within two days after entering upon the adjustment, and in all other respects complies with the provisions of this chapter governing adjusters.

(3) A person holding a temporary permit under ORS 744.555 may perform acts authorized under ORS 744.555 without obtaining an adjuster's license.

(4) Any average adjuster or adjuster of maritime losses may adjust maritime losses without obtaining an adjuster's license.

(5) A person may perform or provide repair or replacement service under home protection insurance without obtaining an adjuster's license.

(6)(a) An individual may act as an adjuster without obtaining an adjuster's license if the individual:

(A) Collects claim information from, or furnishes claim information to, insureds or claimants, and conducts data entry, including entry of data into an automated claims adjudication system; and

(B) Is an employee of a licensed adjuster, or its affiliate, where no more than 25 such individuals are under the supervision of one licensed adjuster or one licensed insurance producer.

(b) A licensed insurance producer acting as a supervisor as described in paragraph (a) of this subsection is not required to obtain an adjuster's license.

(7) As used in this section:

(a) "Automated claims adjudication system" means a preprogrammed computer system designed for the collection, data entry, calculation and final resolution of portable electronics insurance claims that:

(A) Is utilized only by a licensed adjuster, licensed insurance producer or individuals supervised by a licensed adjuster or licensed insurance producer; and

(B) Is compliant with all requirements of the Insurance Code.

(b) "Portable electronics" means an electronics device that is portable and includes accessories and services related to the use of the device.

(c) "Portable electronics insurance" means insurance that provides coverage for the repair or replacement of portable electronics in the event of loss, theft, mechanical failure, malfunction, damage or need for repair or replacement as a result of some other covered source of peril but does not include:

(A) A service contract as described in ORS 646A.154 that is subject to the provisions of ORS 646A.150 to 646A.172;

(B) A warranty;

(C) A maintenance agreement as defined in ORS 646A.152; or

(D) A policy of insurance covering the obligations of a vendor or of a portable electronics manufacturer under a warranty.

Passed by House April 27, 2011

Received by Governor:

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Ramona Kenady Line, Chief Clerk of House

Approved:

.....M,....., 2011

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Bruce Hanna, Speaker of House

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John Kitzhaber, Governor

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Arnie Roblan, Speaker of House

Filed in Office of Secretary of State:

.....M,....., 2011

Passed by Senate June 1, 2011

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Peter Courtney, President of Senate

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Kate Brown, Secretary of State