

A-Engrossed
House Bill 3619

Ordered by the House April 22
Including House Amendments dated April 22

Sponsored by COMMITTEE ON BUSINESS AND LABOR

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Exempts individuals collecting and furnishing claim information and conducting data entry under supervision of licensed adjuster or insurance producer from requirement to obtain adjuster's license. [*Allows Canadian residents to be issued resident adjuster license. Requires applicant for corporate nonresident adjuster license to submit information regarding executive officers and directors.*]

A BILL FOR AN ACT

1
2 Relating to insurance adjusters; amending ORS 744.515.

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

4 **SECTION 1.** ORS 744.515 is amended to read:

5 744.515. (1) A licensed resident insurance producer or salaried employee or officer of an au-
6 thorized insurer may adjust and settle losses for the insurer that the insurance producer, employee
7 or officer represents, without obtaining an adjuster's license.

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

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

13 (4) Any average adjuster or adjuster of maritime losses may adjust maritime losses without ob-
14 taining an adjuster's license.

15 (5) A person may perform or provide repair or replacement service under home protection in-
16 surance without obtaining an adjuster's license.

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

19 **(A) Collects claim information from, or furnishes claim information to, insureds or**
20 **claimants, and conducts data entry, including entry of data into an automated claims adju-**
21 **dications system; and**

22 **(B) Is an employee of a licensed adjuster, or its affiliate, where no more than 25 such**
23 **individuals are under the supervision of one licensed adjuster or one licensed insurance pro-**
24 **ducer.**

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

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 **(7) As used in this section:**

2 **(a) “Automated claims adjudication system” means a preprogrammed computer system**
3 **designed for the collection, data entry, calculation and final resolution of portable electronics**
4 **insurance claims that:**

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

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

8 **(b) “Portable electronics” means an electronics device that is portable and includes ac-**
9 **cessories and services related to the use of the device.**

10 **(c) “Portable electronics insurance” means insurance that provides coverage for the re-**
11 **pair or replacement of portable electronics in the event of loss, theft, mechanical failure,**
12 **malfunction, damage or need for repair or replacement as a result of some other covered**
13 **source of peril but does not include:**

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

16 **(B) A warranty;**

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

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

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