

House Bill 4051

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Rules)

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 **as introduced**.

Permits insurer, under specified conditions, to post insurance policy and endorsements on insurer's website in lieu of mailing or delivering insurance policy and endorsements to insured.

A BILL FOR AN ACT

1
2 Relating to electronic delivery of insurance policies; creating new provisions; and amending ORS
3 742.046.

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

5 **SECTION 1.** ORS 742.046 is amended to read:

6 742.046. (1) Subject to the insurer's requirements [*as to payment of premium,*] **for paying pre-**
7 **miums, the insurer shall mail or deliver** every policy [*shall be mailed or delivered*] to the insured
8 or to the person entitled [*thereto*] **to the policy** within a reasonable period of time after [*its issuance*
9 *except where a condition required by the insurer has not been met by the insured*] **the insurer issues**
10 **the policy, unless the insured has not met a condition required by the insurer.**

11 (2) [*In the event*] **If the insurer delivers or deposits, or must deliver or deposit, the** original
12 policy [*is delivered or is so required to be delivered to or for deposit*] **to or** with any vendor,
13 mortgagee[,] or pledgee of any motor vehicle, and [*in which*] **the original** policy [*any interest of*]
14 **insures** the [*vendee, mortgagor, or pledgor*] **vendee's, mortgagor's or pledgor's interest** in or with
15 reference to [*such*] **the motor** vehicle [*is insured*], **the vendor, mortgagee or pledgee shall deliver**
16 a duplicate **or memorandum** of [*such*] **the** policy [*setting*] **that sets** forth the name and address of
17 the insurer, **the** insurance classification of **the** vehicle, **the** type of coverage, **the** limits of liability,
18 premiums for the respective coverages[,], and **the** duration of the policy[, *or memorandum thereof*
19 *containing the same such information, shall be delivered by the vendor, mortgagee, or pledgee*] to each
20 [*such*] vendee, mortgagor[,], or pledgor **that is** named in the policy or [*coming*] **that is** within the
21 group of persons [*designated in*] the policy **specifies must be** [*to be so*] included. If the policy does
22 not [*provide coverage of*] **cover** legal liability for injury to persons or damage to the property of third
23 parties, [*a statement of such fact shall be printed, written, or stamped conspicuously on*] the face of
24 [*such*] **the** duplicate policy or memorandum **must conspicuously state, in writing, in print or**
25 **with a stamp, that the policy does not provide such coverage.** This subsection does not apply
26 to inland marine floater policies.

27 (3) **Notwithstanding the requirements set forth in subsections (1) and (2) of this section,**
28 **an insurer may post on the insurer's website a standard property and casualty insurance**
29 **policy and endorsements that do not have personally identifiable information. If the insurer**
30 **posts an insurance policy and endorsements on the insurer's website in lieu of mailing or**
31 **delivering the insurance policy and endorsements to the insured, the insurer shall:**

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 (a) Ensure that the insurance policy and endorsements are easily accessible for as long
2 as the insurance policy is in force;

3 (b) Archive expired policies and endorsements for 10 years after the policies expire and
4 make archived policies available upon request;

5 (c) Post the policy and endorsements in a manner that enables the insured to use soft-
6 ware that is free of charge and widely available on the Internet to save and print the policy
7 and endorsements;

8 (d) Provide in, or simultaneously with, each declarations page that the insurer provides
9 at the time the insurer issues or renews the policy:

10 (A) A description of the exact policy and endorsements that the insured purchased;

11 (B) A statement that advises the insured of the right to request and obtain, without
12 charge, a printed copy of the insured's policy and endorsements and instructions for making
13 the request; and

14 (C) The Internet address at which the insurer posted the insured's policy and endorse-
15 ments; and

16 (e) Notify the insured, in the manner in which the insurer customarily communicates
17 with the insured, of any changes to the policy or endorsements.

18 **SECTION 2.** The amendments to ORS 742.046 by section 1 of this 2014 Act apply to in-
19 surance policies and endorsements that an insurer issues on or after the effective date of
20 this 2014 Act.