

D R A F T

SUMMARY

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;
3 and amending ORS 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 pre-*
7 *mium,*] **for paying premiums, the insurer shall mail or deliver** every
8 policy [*shall be mailed or delivered*] to the insured or to the person entitled
9 [*thereto*] **to the policy** within a reasonable period of time after [*its issuance*
10 *except where a condition required by the insurer has not been met by the in-*
11 *sured*] **the insurer issues the policy, unless the insured has not met a**
12 **condition required by the insurer.**

13 (2) [*In the event*] **If the insurer delivers or deposits, or must deliver**
14 **or deposit, the** original policy [*is delivered or is so required to be delivered*
15 *to or for deposit*] **to or** with any vendor, mortgagee[,] or pledgee of any motor
16 vehicle, and [*in which*] **the original** policy [*any interest of*] **insures** the
17 [*vendee, mortgagor, or pledgor*] **the vendee's, mortgagor's or pledgor's**
18 **interest** in or with reference to [*such*] **the motor** vehicle [*is insured*], **the**
19 **vendor, mortgagee or pledgee shall deliver a duplicate or memorandum**
20 of [*such*] **the policy** [*setting*] **that sets** forth the name and address of the

1 insurer, **the** insurance classification of **the** vehicle, **the** type of coverage, **the**
2 limits of liability, premiums for the respective coverages[,] and **the** duration
3 of the policy[, *or memorandum thereof containing the same such information,*
4 *shall be delivered by the vendor, mortgagee, or pledgee*] to each [*such*] vendee,
5 mortgagor[,] or pledgor **that is** named in the policy or [*coming*] **that is**
6 within the group of persons [*designated in*] the policy [*to be so*] **specifies**
7 **must be** included. If the policy does not [*provide coverage of*] **cover** legal
8 liability for injury to persons or damage to the property of third parties, [*a*
9 *statement of such fact shall be printed, written, or stamped conspicuously on*]
10 the face of [*such*] **the** duplicate policy or memorandum **must conspicuously**
11 **state, in writing, in print or with a stamp, that the policy does not**
12 **provide such coverage.** This subsection does not apply to inland marine
13 floater policies.

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

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

23 **(b) Archive expired policies and endorsements for five years after**
24 **the policies expire and make archived policies available upon request;**

25 **(c) Post the policy and endorsements in a manner that enables the**
26 **insured to use software that is free of charge and widely available on**
27 **the Internet to save and print the policy and endorsements;**

28 **(d) Provide in, or simultaneously with, each declarations page that**
29 **the insurer provides at the time the insurer issues or renews the pol-**
30 **icy:**

31 **(A) A description of the exact policy and endorsements that the**

1 **insurer purchased;**

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

5 **(C) The Internet address at which the insurer posted the insured's**
6 **policy and endorsements; and**

7 **(e) Notify the insured, in the manner in which the insurer cus-**
8 **tomarily communicates with the insured, of any changes to the policy**
9 **or endorsements.**

10 **SECTION 2. The amendments to ORS 742.046 by section 1 of this**
11 **2015 Act apply to insurance policies and endorsements that an insurer**
12 **issues on or after the effective date of this 2015 Act.**

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