

# 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

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

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

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

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

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

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

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

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

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

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

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

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

1 insured 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 2013 Act apply to insurance policies and endorsements that an insurer  
12 issues on or after the effective date of this 2013 Act.