

**ALABAMA DEPARTMENT OF INSURANCE
INSURANCE REGULATION**

CHAPTER 482-1-153

PORTABLE ELECTRONICS INSURANCE VENDORS

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482-1-153-.01 Purpose, Scope and Authority.

(1)The purposes of this regulation are as follows:

(a) To set forth rules and procedural requirements the Commissioner deems necessary to carry out the provisions of Chapter 22A, Ala. Code Tit. 27 (2012), relating to the licensing of portable electronics insurance vendors as limited lines insurance producers.

(b) To set forth the procedures for the renewal of licenses of portable electronics insurance vendors as insurance producers.

(2)(a) This regulation shall apply to individuals and business entities applying for a license as insurance producer for portable electronics insurance vendors.

(b) As to the renewal of licenses, this regulation shall apply to every individual or business entity portable electronics insurance vendor licensed in this state as an insurance producer.

(c) A vendor of portable electronics insurance licensed in accordance with this regulation shall be considered a limited lines insurance producer and shall, except as otherwise provided in this regulation and in Chapter 22A, Tit. 27, Ala. Code (2012), be subject to all laws, rules and regulations applicable to limited lines insurance producers, including, but not limited to, Chapter 7, Ala. Code Tit. 27 (1975), providing general laws applicable to all insurance producers, Chapter 8A, Ala. Code Tit. 27 (1975), providing the laws for the renewal of producer licenses, and Alabama Insurance Regulation Chapter 482-1-109, providing the procedures for renewal of producer appointments, Chapter 482-1-110, providing the procedures for renewal of producer licenses, and Chapter 482-1-147, providing other general procedures regarding the license and appointments of producers.

(3) This regulation is adopted pursuant to Ala. Code §§ 27-2-17 (1975) and 27-22A-7 (2012).

Author: Commissioner of Insurance

Statutory Authority: Ala. Code §§ 27-2-17 (1975) & 27-22A-7 (2012)

History: New July 29, 2013, Effective August 8, 2013

482-1-153-.02 Definitions. Unless the context otherwise requires, terms found in this regulation are used as defined in Ala. Code § 27-22A-1 (2012). The following terms are defined for purposes of this regulation:

(a) **LARGE VENDOR.** A vendor with more than 10 locations in Alabama.

(b) **LICENSEE.** A portable electronics insurance vendor licensed in accordance with this regulation.

(c) **SMALL VENDOR.** A vendor with 10 or fewer locations in Alabama.

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Author: Commissioner of Insurance

Statutory Authority: Ala. Code §§ 27-2-17 (1975) & 27-22A-7 (2012)

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482-1-153-.03 Portable Electronics Insurance Vendor License.

(1) A vendor of portable electronics insurance may be licensed as a limited lines insurance producer as either a business entity or an individual. Subject to the supervision and other requirements set forth in Ala. Code § 27-22A-4, the employees and authorized representatives of a licensed vendor are not required to be individually licensed.

(2) To be licensed as a vendor of portable electronics insurance, a business entity must be a corporation, a limited liability company, a partnership, a limited partnership, a limited liability partnership, or another legally recognized form of entity distinct from an individual or the individuals or other entities that may own or hold interests in, or be members of, the entity as determined by the laws of the entity's state of domicile. A sole proprietorship can only be licensed as an individual. One or more individuals doing business under a trade name cannot obtain a business entity license absent formal organization as an entity.

(3) An applicant shall complete the Department's on-line licensing process to become licensed as a vendor of portable electronics insurance.

(4) A foreign-domiciled business entity must register with the Alabama Secretary of State in accordance with the applicable requirements of Ala. Code Tit. 10A (2011).

(5) Instructions for the on-line licensing process, as it may change from time to time, will be provided on the Department's Web page.

(6) The fees for a vendor of portable electronics insurance are as follows:

(a) For a Large vendor:

1. Initial license fee, as permitted in Section 27-22A-7(e) \$1,000.00

2. License renewal fee, as permitted in Section 27-22A-7(e) \$500.00

(b) For a Small vendor, the license fee, initial and renewal, as permitted in Section 27-22A-7(e) \$100.00

(c) Late fee, as permitted in Section 27-8A-9(a)(2) \$50.00

(7)(a) Licensees are subject to the license renewal process set forth in Chapter 482-1-110, according to the initial dates indicated in Rule 482-1-153-.04.

(b) If a vendor's license is not renewed in accordance with Chapter 482-1-110, according to the initial dates indicated in Rule 482-1-153-.04, the license expires.

(8) A licensee must maintain a registry of vendor locations as required in 27-22A-2(c) and shall, upon request of the Commissioner, make the registry available to the Commissioner within ten (10) days of the request.

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Author: Commissioner of Insurance

Statutory Authority: Ala. Code §§ 27-2-17 (1975) & 27-22A-7 (2012)

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482-1-153-.04 Renewal of Licenses.

(1) All portable electronics insurance vendors licensed in Alabama are limited lines insurance producers and are thus subject to the same renewal requirements of insurance producers as set forth in Chapter 482-1-110, except they are not required to complete any continuing education requirements. The initial renewal schedules for licensees are set forth in this rule.

(2)(a) As set forth in Chapter 482-1-110, individual licensees shall renew their license biennially based on their month and year of birth.

(b) Licensees Born in Even-numbered Years. Beginning in the year 2014, the license of an individual licensee born in an even-numbered year will expire if not renewed at the end of the licensee's birth month in 2014 and every other year thereafter.

(c) Licensees Born in Odd-numbered Years. Beginning in the year 2015, the license of an individual licensee born in an odd-numbered year will expire if not renewed at the end of the licensee's birth month in 2015 and every other year thereafter.

(d) All individual licensees shall complete an application for license renewal on the Department's Web site by the license expiration date, to include payment of the applicable fee as set forth in Rule 482-1-153-.03. Any license not renewed by the license expiration date may still be renewed during the first 30 days following expiration, with reinstatement retroactive to the expiration date, by paying the applicable fee set forth in Rule 482-1-153-.03.

(3)(a) Expiration of Business Entity Licenses in 2014 and Thereafter. Beginning in 2014, the license of all business entity vendors shall expire if not renewed on December 31 of 2014 and every other year thereafter, as set forth in Chapter 482-1-110.

(b) All business entity licensees shall complete an application for license renewal on the Department's Web site prior to license expiration, to include payment of the applicable fee as set forth in Rule 482-1-153-.03. Any license not renewed by the license expiration date may still be renewed during the first 30 days following expiration, with reinstatement retroactive to the expiration date, by paying the applicable fee set forth in Rule 482-1-153-.03.

Author: Commissioner of Insurance

Statutory Authority: Ala. Code §§ 27-2-17 (1975) & 27-22A-7 (2012)

History: New July 29, 2013, Effective August 8, 2013

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482-1-153-.05 Severability and Effective Date.

(1) If any rule or portion of a rule or its applicability to any person or circumstance is held invalid by a court, the remainder of this regulation or the applicability of the provision to other persons or circumstances shall not be affected.

(2) This regulation shall become effective upon its approval by the Commissioner of Insurance and upon its having been on file as a public document in the office of the Secretary of State for ten days.

Author: Commissioner of Insurance

Statutory Authority: Ala. Code §§ 27-2-17 (1975) & 27-22A-7 (2012)

History: New July 29, 2013, Effective August 8, 2013