

522E.9 Requirements at time of sale.

A licensed portable electronics vendor shall not sell portable electronics insurance pursuant to [this chapter](#) unless, at the time of sale, or reasonably thereafter with respect to a sale or enrollment occurring by telephone, all of the following conditions are satisfied:

1. The portable electronics vendor provides brochures or other written materials to the prospective consumer that do all of the following:

a. Summarize the material terms and conditions of coverage offered, including the identity of the insurer.

b. Describe the process for filing a claim, including a toll-free telephone number to report a claim.

c. Disclose any additional information on the price, benefits, exclusions, conditions, or other limitations of those policies that the commissioner may, by rule, prescribe.

d. Provide the name, address, telephone number, and license number of the portable electronics vendor or the property and casualty insurance broker-agent appointed by the insurer issuing portable electronics insurance coverage to the portable electronics vendor.

2. The portable electronics vendor or its endorsees make all of the following disclosures, which shall either be acknowledged in writing by the consumer, be provided in writing to the consumer, or, for sales made in person, shall be displayed by clear and conspicuous signs that are posted at every location where portable electronics insurance contracts are executed, such as the counter where the consumer signs the portable electronics insurance contract:

a. That the purchase by the consumer of the kinds of insurance prescribed in [this chapter](#) is not required in order to purchase portable electronics, accessories, or related services.

b. That the insurance policies offered by the portable electronics vendor may provide a duplication of coverage already provided by other insurance policies covering the consumer.

c. That the vendor or endorsee of the portable electronics vendor is not qualified or authorized to evaluate the adequacy of the consumer's existing insurance coverages, unless that person is licensed pursuant to [chapter 522B](#).

d. That the consumer may cancel the insurance at any time. If the consumer cancels, any unearned premium will be refunded in accordance with applicable law.

3. The material terms and conditions of coverage are provided to every person who elects to purchase the coverage.

4. Costs for the insurance are separately itemized in any billing statement for the insurance. However, if the portable electronics insurance is included with the purchase or lease of portable electronics and accessories or related services, the portable electronics vendor shall clearly and conspicuously disclose to the consumer that the insurance coverage is included with the purchase of the portable electronics or related services and shall disclose the stand-alone cost of the premium for the same or similar insurance, if any, on the consumer's bill and in any marketing materials made available at the point of sale.

5. The portable electronics insurance is provided under an individual policy issued to the consumer, or under a group or master policy issued to an organization through a licensed insurance producer or through a licensed portable electronics vendor by an insurer authorized to transact the applicable kinds or types of insurance in this state.

6. Portable electronics insurance shall not be sold through a free-trial offer.

7. In order for portable electronic insurance notices and documents to be delivered by electronic means to the consumer, affirmative consent shall be obtained pursuant to [section 505B.1, subsection 5](#).

2015 Acts, ch 87, §9, 16; 2019 Acts, ch 16, §5; 2020 Acts, ch 1063, §297

Referred to in [§522E.6](#)