

522E.1 Definitions.

As used in [this chapter](#), unless the context otherwise requires:

1. “*Commissioner*” means the commissioner of insurance.
2. “*Consumer*” means a person who purchases portable electronics or portable electronics insurance in a retail transaction.
3. “*Delivered by electronic means*” or “*deliver by electronic means*” means the same as defined in [section 505B.1](#).
4. “*Endorsee*” means an unlicensed employee or authorized representative of a licensed portable electronics vendor.
5. “*Enrollment*” means the process of soliciting or accepting enrollments or applications from a consumer under a portable electronics insurance policy, which includes informing the consumer of the availability of coverage, preparing and delivery of the certificate of insurance or notice of proposed insurance, or otherwise assisting the consumer in making an informed decision whether or not to elect to purchase portable electronics insurance.
6. “*Free-trial offer*” means an offer to a consumer under which portable electronics insurance is provided free of charge for a limited time period subsequent to which a charge is made to the consumer for the insurance.
 7. *a.* “*License period*” means all of that three-year period beginning as described in paragraph “*b*”, subparagraph (1) or (2), as applicable, and ending the second succeeding year on the last calendar day of the month in which the initial license was issued.
 - b.* A license period shall be determined for each person as follows:
 - (1) Upon initial licensing, the license period shall start on the date the license is issued.
 - (2) For a subsequent license, the license period shall start on the first day following the month in which the initial license was issued.
 - c.* A license shall be renewed on or before the expiration date of the license period.
 8. *a.* “*Portable electronics*” means any of the following devices:
 - (1) Personal, self-contained, easily carried by an individual, battery-operated electronic communication, viewing, listening, recording, gaming, computing, or global positioning devices, including cell or satellite phones, pagers, personal global positioning satellite units, portable computers, portable audio listening, video viewing or recording devices, digital cameras, video camcorders, portable gaming systems, docking stations, and automatic answering devices, including their accessories and service related to the use of the devices.
 - (2) Any other electronic device that is portable in nature that the commissioner approves.
 - b.* “*Portable electronics*” does not include telecommunications switching equipment, transmission wires, cell site transceiver equipment, or other equipment and systems used by telecommunications companies to provide telecommunications service to consumers.
 9. *a.* “*Portable electronics insurance*” means a contract providing coverage for the repair or replacement of portable electronics against any one or more of the following causes of loss: loss, theft, mechanical failure, malfunction, damage, or other applicable perils.
 - b.* “*Portable electronics insurance*” does not include any of the following:
 - (1) A service contract or extended warranty providing coverage limited to the repair, replacement, or maintenance of property for the operational or structural failure of property due to a defect in materials, workmanship, accidental damage from handling, power surges, or normal wear and tear.
 - (2) A policy of insurance covering a seller’s or a manufacturer’s obligations under a warranty.
 - (3) A homeowner’s, renter’s, private passenger automobile, commercial multiperil, or similar policy.
 10. “*Portable electronics insurance license*” means a document issued by the commissioner pursuant to [this chapter](#) authorizing a portable electronics vendor to offer or sell portable electronics insurance in this state.
 11. “*Portable electronics vendor*” means any person in the business, directly or indirectly,

of selling, reselling, soliciting, or leasing portable electronics, their accessories, and related services to consumers.

[2015 Acts, ch 87, §1, 16](#); [2019 Acts, ch 16, §3, 4](#); [2020 Acts, ch 1063, §296](#)

Referred to in [§505B.1](#)

Subsection 3 amended