

AMENDMENTS TO SENATE BILL NO. 190

Sponsor: SENATOR MCGARRIGLE

Printer's No. 179

1 Amend Bill, page 1, line 12, by inserting after "laws,"
2 in insurance producers, further providing for definitions; and

3 Amend Bill, page 1, line 13, by striking out "facility"

4 Amend Bill, page 1, lines 16 through 19, by striking out all
5 of said lines and inserting

6 Section 1. The definition of "line of authority" in section
7 601-A of the act of May 17, 1921 (P.L.789, No.285), known as The
8 Insurance Department Act of 1921, is amended and the section is
9 amended by adding a definition to read:

10 Section 601-A. Definitions.

11 The following words and phrases when used in this article
12 shall have the meanings given to them in this section unless the
13 context clearly indicates otherwise:

14 * * *

15 "Limited line self-service storage insurance." Insurance
16 offered in connection with and incidental to the rental of space
17 at a self-service storage facility.

18 "Line of authority." The licensed ability to sell, solicit
19 or negotiate particular classes or types of insurance, including
20 the following:

21 (1) Life. Insurance coverage on human lives, including
22 benefits of endowment and annuities, and may include benefits
23 in the event of death or dismemberment by accident and
24 benefits for disability income.

25 (2) Accident and health or sickness. Insurance coverage
26 for sickness, bodily injury or accidental death and may
27 include benefits for disability income.

28 (3) Property. Insurance coverage for the direct or
29 consequential loss or damage to property of every kind.

30 (4) Casualty. Insurance coverage against legal
31 liability, including that for death, injury or disability or
32 damage to real or personal property.

33 (5) Variable life and variable annuity products.
34 Insurance coverage provided under variable life insurance
35 contracts and variable annuities.

1 (6) Personal lines. Property and casualty insurance
2 coverage sold to individuals and families primarily for
3 noncommercial purposes.

4 (7) Credit. Limited line credit insurance.

5 (8) Motor vehicle rental. Limited line motor vehicle
6 rental insurance.

7 (8.1) Self-service storage. Limited line self-service
8 storage insurance.

9 (9) Limited line. Any other line of insurance as
10 determined by the Insurance Commissioner.

11 * * *

12 Section 2. Subarticle B of Article VI-A of the act is
13 amended by adding a division to read:

14 DIVISION 2.1

15 Amend Bill, page 1, line 20, by striking out "FACILITY"

16 Amend Bill, page 1, line 21, by striking out "601-B" and
17 inserting
18 681-A

19 Amend Bill, page 1, line 22, by striking out "Insurance
20 Department" and inserting

21 department

22 Amend Bill, page 1, line 23, by striking out "agent"

23 Amend Bill, page 2, line 4, by inserting after "facility."

24 The self-service storage provider shall also be subject to
25 the requirements of this article, Article XI and the act of July
26 22, 1974 (P.L.589, No.205), known as the Unfair Insurance
27 Practices Act.

28 Amend Bill, page 2, line 6, by striking out "agent" and
29 inserting

30 producer

31 Amend Bill, page 2, line 10, by striking out "agent" and
32 inserting

33 producer

34 Amend Bill, page 2, line 11, by striking out "agent" and
35 inserting

36 producer

37 Amend Bill, page 2, line 14, by striking out "agent" and

1 inserting

2 producer

3 Amend Bill, page 2, line 16, by striking out "agent's" and

4 inserting

5 producer's

6 Amend Bill, page 2, line 19, by striking out "agent" and

7 inserting

8 producer

9 Amend Bill, page 2, line 24, by inserting after "provides"

10 primary

11 Amend Bill, page 2, line 26, by striking out "stored"

12 Amend Bill, page 2, line 26, by inserting after "facility"

13 or while the personal property is in transit during the
14 rental agreement

15 Amend Bill, page 2, line 27, by striking out "agent" and

16 inserting

17 producer

18 Amend Bill, page 2, line 29, by striking out "agent" and

19 inserting

20 producer

21 Amend Bill, page 3, line 4, by inserting after "benefits,"

22 deductibles,

23 Amend Bill, page 3, line 6, by striking out "agent" and

24 inserting

25 producer

26 Amend Bill, page 3, line 10, by inserting after "coverage."

27 The disclosure shall be prominently displayed in the
28 brochure or other written materials with at least 12-
29 point bold type.

30 (iii) State that the insurance prescribed in this
31 section is primary coverage over any other coverage
32 covering the same loss.

33 Amend Bill, page 3, line 11, by striking out "(iii)" and

1 inserting

2 (iv)

3 Amend Bill, page 3, by inserting between lines 15 and 16

4 (v) State that the purchase of the insurance
5 prescribed in this section is not required in order to
6 rent storage space. The statement shall be prominently
7 displayed in the brochure or other written materials with
8 at least 12-point bold type.

9 Amend Bill, page 3, line 16, by striking out "(iv)" and

10 inserting

11 (vi)

12 Amend Bill, page 3, by inserting between lines 16 and 17

13 (vii) Include contact information for filing a
14 complaint with the commissioner.

15 Amend Bill, page 3, line 26, by striking out "agent" where it
16 occurs the first time and inserting

17 authorized representative

18 Amend Bill, page 3, line 26, by striking out "agent" where it
19 occurs the second time and inserting

20 producer

21 Amend Bill, page 3, line 28, by striking out "agent" and
22 inserting

23 producer

24 Amend Bill, page 3, line 30, by striking out "agent" and
25 inserting

26 authorized representative

27 Amend Bill, page 4, line 1, by striking out "agent" and
28 inserting

29 producer

30 Amend Bill, page 4, line 3, by striking out "agent" and
31 inserting

32 producer

33 Amend Bill, page 4, by inserting between lines 3 and 4

1 (3) The self-service storage producer shall maintain a
2 register, on a form which the commissioner requires, of each
3 employee or authorized representative of the self-service
4 storage producer who offers the insurance prescribed in this
5 section on behalf of the self-service storage producer and
6 shall, upon request of the commissioner, submit the register
7 for inspection by the commissioner.

8 Amend Bill, page 4, line 4, by striking out "agent" and
9 inserting

10 producer

11 Amend Bill, page 4, line 4, by inserting after "provide"
12 , or cause a licensed producer to provide,

13 Amend Bill, page 4, line 5, by striking out "agents" and
14 inserting

15 authorized representatives

16 Amend Bill, page 4, line 6, by striking out "agent" and
17 inserting

18 producer

19 Amend Bill, page 4, lines 7 and 8, by striking out ",
20 including the kinds of insurance coverage" in line 7 and all of
21 line 8 and inserting

22 , including the following:

23 (1) General information about homeowners, renters,
24 business and similar insurance that an occupant may have that
25 may provide coverage for property stored at a self-service
26 storage facility.

27 (2) Information about the material terms of insurance
28 coverage offered to occupants, including the price, benefits,
29 deductibles, exclusions and conditions of the insurance.

30 (3) The disclosures required under subsection (d).

31 Amend Bill, page 4, line 9, by striking out "agent" and
32 inserting

33 producer

34 Amend Bill, page 4, line 14, by striking out "agents" and
35 inserting

36 authorized representatives

37 Amend Bill, page 4, by inserting between lines 15 and 16

1 (h) Enforcement.--A violation of this section shall
2 constitute a violation of this act and shall be subject to the
3 provisions of sections 691-A and 692-A.

4 Amend Bill, page 4, line 16, by striking out "(h)" and
5 inserting

6 (i)

7 Amend Bill, page 4, line 19, by striking out "agent" and
8 inserting

9 producer

10 Amend Bill, page 4, line 21, by striking out "agent" and
11 inserting

12 producer

13 Amend Bill, page 4, line 22, by striking out "agent" and
14 inserting

15 authorized representative

16 Amend Bill, page 4, line 25, by striking out "(i)" and
17 inserting

18 (j)

19 Amend Bill, page 4, line 29, by striking out the period after
20 "article" and inserting

21 , if the owner and its unlicensed employees and authorized
22 representatives do not solicit prospective occupants to purchase
23 the insurance.

24 Amend Bill, page 4, line 30, by striking out "(j)" and
25 inserting

26 (k)

27 Amend Bill, page 4, line 30, by striking out "agent" and
28 inserting

29 producer

30 Amend Bill, page 5, line 2, by striking out "(k)" and
31 inserting

32 (l)

33 Amend Bill, page 5, lines 5 through 15, by striking out all

1 of said lines and inserting

2 "Occupant." As defined in section 2 of the act of December
3 20, 1982 (P.L.1404, No.325), known as the Self-Service Storage
4 Facility Act.

5 "Owner." As defined in section 2 of the Self-Service Storage
6 Facility Act.

7 "Personal property." As defined in section 2 of the Self-
8 Service Storage Facility Act.

9 Amend Bill, page 5, line 16, by striking out "agent" and
10 inserting

11 producer

12 Amend Bill, page 5, line 17, by striking out "who is"

13 Amend Bill, page 5, lines 18 through 20, by striking out all
14 of said lines

15 Amend Bill, page 5, line 21, by striking out "2" and
16 inserting

17 3