

**40-5602. Definitions.** For purposes of this act:

- (a) "Commissioner" means the commissioner of insurance.
- (b) "Covered customer" means a customer who elects coverage under a portable electronics insurance policy issued to a vendor of portable electronics devices.
- (c) "Customer" means a person who purchases or leases portable electronics devices or services.
- (d) "Insurance producer" shall have the meaning ascribed to it in K.S.A. 2014 Supp. 40-4902, and amendments thereto.
- (e) "Location" means any physical location in the state of Kansas.
- (f) "Portable electronic device" means an electronic device that is portable in nature. The term portable electronic device also includes any accessory for such device and any service related to the use of such portable electronic device that is sold to a customer.
- (g) "Portable electronic devices" does not mean devices used exclusively by communication companies or commercial entities to provide service to a customer.
- (h) (1) "Portable electronics insurance" means insurance providing coverage for the repair or replacement of portable electronics devices which may provide coverage for portable electronics devices against any one or more of the following causes of loss: loss, theft, are inoperable due to mechanical failure, malfunction, damage or other similar causes of loss.
- (2) "Portable electronics insurance" does not include:
  - (A) Any service contract as defined by K.S.A. 2014 Supp. 40-201a, and amendments thereto;
  - (B) any policy of insurance covering a seller's or a manufacturer's obligations under a warranty; or
  - (C) any homeowner's, renter's, private passenger automobile, commercial multiperil, or similar policy.
- (i) "Portable electronics transaction" means:
  - (1) The sale or lease of portable electronics device by a vendor to a customer; or
  - (2) the sale of a service related to the use of portable electronics device by a vendor to a customer.
- (j) "Supervising entity" means a business entity that is a licensed insurance producer or insurer.
- (k) "Vendor" means a person in the business of engaging in portable electronics transactions directly or indirectly.

**History:** L. 2011, ch. 75, § 2; Jan. 1, 2012.