

PUBLIC PROTECTION CABINET
Department of Insurance
Licensing Division
(New Administrative Regulation)

806 KAR 9:380. Limited Lines Self-Service Storage Space Insurance Requirements.

RELATES TO: KRS 304.4-010, 304.9-030, 304.9-105, 304.9-130, 304.9-150, 304.9-230, 304.9-260, 304.9-270, 304.9-495, 304.9-497

STATUTORY AUTHORITY: KRS 304.2-110, 304.9-496

NECESSITY, FUNCTION, AND CONFORMITY: KRS 304.2-110 authorizes the commissioner to promulgate administrative regulations necessary for or as an aid to the effectuation of any provision of the Kentucky Insurance Code. KRS 304.9-496 authorizes the commissioner to issue an agent's license with the limited line of authority for self-service storage space insurance producer and requires the commissioner to promulgate administrative regulations to establish the requirements. KRS 304.9-496 also authorizes the commissioner to issue licenses to act as a self-service storage space insurance producer and requires the commissioner to prescribe an application form for a business entity seeking to act as a limited lines self-service storage space insurance producer. This administrative regulation establishes the information to be included in the application for a limited lines self-service insurance storage space producer and the recordkeeping requirements for a self-service storage facility and their employees who offer and disseminate self-service storage space insurance.

Section 1. Definitions.

- (1) "Limited lines self-service storage space insurance producer" is defined by KRS 304.9-495(1).
- (2) "Self-service storage facility" is defined by KRS 304.9-495(6).
- (3) "Self-service storage space insurance" is defined by KRS 304.9-495(7).

Section 2. License Application. To apply for a limited lines self-service storage space insurance license, an applicant shall submit:

- (1) The appropriate completed form:
 - (a) For individuals, Form 8301, incorporated by reference in 806 KAR 9:025;
 - (b) For Business Entities, Form 8301-BE, incorporated by reference in 806 KAR 9:025; and
 - (c) A register, signed by the licensed limited lines self-service storage space insurance produce applicant, as prescribed on the Self-Service Storage Space Location Form, that shall include:
 1. All facility locations proposed to offer and disseminate self-service storage space insurance by the limited lines self-service storage space insurance producer applicant;
 2. Federal Employment Identification Number; and
 3. Contact information for each self-service storage facility proposed to offer and disseminate self-service storage space insurance, including contact information for any facility operators.
- (2) The register provided on the Self-Service Storage Space Location Form shall be made available to the department upon request.

Section 3. Limited Lines Self-Service Storage Space Insurance Producer Responsibilities. The licensed limited lines self-service storage space insurance producer shall:

- (1) Be responsible for the acts of the self-service storage facility operator that occur within the scope of their operation of a self-service storage facility;

- (2) Provide a program for instructional training to the employees of the self-service storage facility operator;
- (3) Be responsible for the insurance activities of the self-service storage facility, its operators, unlicensed employees, and representatives;
- (4) Report all material changes and additions to the department within thirty (30) days; and
- (5) Before transacting any business at any location, ensure that the self-service storage facility and its operators provide the appropriate consumer protection disclosures as prescribed in KRS 304.9-497 to all prospective consumers in writing.

Section 4. Material Incorporated by Reference.

- (1) The Self-Service Storage Space Location Form, 2/2022 is incorporated by reference.
- (2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Department of Insurance, Mayo-Underwood Building, 500 Mero Street, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 pm. This material is also available on the Department's Web site at <https://insurance.ky.gov/ppc/CHAPTER.aspx>.

SHARON P. CLARK, Commissioner
RAY A. PERRY, Secretary

APPROVED BY AGENCY: March 29, 2022

FILED WITH LRC: April 14, 2022 at 3 p.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held at 9:00 a.m. on June 21st, 2022 at 500 Mero Street, Frankfort, Kentucky 40602. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through 11:59 p.m. on June 30th, 2022. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person below.

CONTACT PERSON: Abigail Gall, Executive Advisor, 500 Mero Street, Frankfort, Kentucky 40601, phone +1 (502) 564-6026, fax +1 (502) 564-1453, email abigail.gall@ky.gov.