

**304.9-496 Operator of self-service storage facility may offer and sell insurance on behalf of a limited lines self-service storage space insurance producer -- Conditions -- Producer is responsible for operator's acts.**

- (1) An operator of a self-service storage facility may offer and disseminate insurance for personal property located within a leased space at a self-service storage facility on behalf of and under the control of a limited lines self-service storage space insurance producer only if the limited lines self-service storage space insurance producer complies with the following:
  - (a) The limited lines self-service storage space insurance producer is clearly identified, including the entity's name and contact information, on marketing materials and fulfillment packages distributed by self-service storage facility operators to customers;
  - (b) At the time of licensure, the limited lines self-service storage space insurance producer shall establish and maintain a register on a form prescribed by the commissioner of each facility that offers self-service storage space insurance on the limited lines self-service storage space insurance producer's behalf. The register shall be maintained and updated annually by the limited lines self-service storage space insurance producer and shall include the name, address, contact information, and Federal Employment Identification Number of the operator and the name, address, and contact information of any officer or person employed by the operator who directs or controls the self-service storage facility operations. The limited lines self-service storage space insurance producer shall submit the register upon request from the commissioner. The limited lines self-service storage space insurance producer shall also certify that it complies with 18 U.S.C. sec. 1033;
  - (c) The limited lines self-service storage space insurance producer has designated one (1) of its employees as a licensed individual responsible for the business entity's compliance with KRS 304.9-495 to 304.9-497 and the insurance laws, rules, and administrative regulations of the state; and
  - (d) The limited lines self-service storage space insurance producer requires each employee of the operator whose duties include offering and disseminating insurance to receive a program of instruction or training, which may be subject to review by the commissioner. The training material shall, at a minimum, contain instructions on the types of insurance offered, ethical sales practices, and required disclosures to prospective customers.
- (2) Notwithstanding KRS 304.9-421 and 304.9-425, a self-service storage facility operator, including its employees, whose activities relating to insurance are limited to offering and disseminating insurance on behalf of and under the direction of a limited lines self-service storage space insurance producer meeting the conditions as set forth in this section, may offer and disseminate insurance.
- (3) As the insurer's designee, the limited lines self-service storage space insurance producer is responsible for the acts of the self-service storage space operator.

**Effective:** July 15, 2014

**History:** Created 2014 Ky. Acts ch. 59, sec. 3, effective July 15, 2014.