
HOUSE BILL 2013

State of Washington 61st Legislature 2009 Regular Session

By Representatives Green, Roach, Kirby, Warnick, and Morrell

Read first time 02/06/09. Referred to Committee on Financial Institutions & Insurance.

1 AN ACT Relating to self-service storage specialty producers; adding
2 a new chapter to Title 48 RCW; and providing an effective date.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** The definitions in this section apply
5 throughout this chapter unless the context clearly requires otherwise.

6 (1) "Commissioner" means the insurance commissioner of this state.

7 (2) "Occupant" means a person, or his or her sublessee, successor,
8 or assign, who is entitled to the use of the storage space at a self-
9 service storage facility under a rental agreement, to the exclusion of
10 others.

11 (3) "Owner" means the owner, operator, lessor, or sublessor of a
12 self-service storage facility.

13 (4) "Personal property" means movable property not affixed to land,
14 and includes, but is not limited to, goods, merchandise, furniture, and
15 household items.

16 (5) "Self-service storage producer" means any owner of a facility
17 that is licensed to offer, sell, or solicit self-service storage
18 insurance under this chapter.

1 (6) "Self-service storage facility" or "facility" means any real
2 property designed and used for the purpose of renting or leasing
3 individual storage space to occupants who are to have access to the
4 space for the purpose of storing and removing personal property on a
5 self-service basis, but does not include a garage or other storage area
6 in a private residence. An occupant may not use a self-service storage
7 facility for residential purposes.

8 (7) "Self-service storage insurance" is insurance that in
9 connection with and incidental to the rental of space at a facility
10 provides coverage to occupants at the facility where the insurance is
11 transacted for the loss of or damage to stored personal property that
12 occurs at that facility.

13 (8) "Supervising producer" means a person licensed under RCW
14 48.17.060 who provides training as described in section 4 of this act
15 and is affiliated to a licensed self-service storage producer.

16 NEW SECTION. **Sec. 2.** (1) An owner that intends to offer insurance
17 under section 3 of this act must file a self-service storage specialty
18 producer license application with the commissioner. Before the
19 commissioner issues a self-service storage specialty producer license,
20 the owner must be appointed as the self-service storage insurance
21 producer of one or more authorized appointing insurers under all self-
22 service specialty producer license.

23 (2) Upon receipt of an application, if the commissioner is
24 satisfied that the application is complete, the commissioner may issue
25 a self-service storage specialty producer license to the owner.

26 (3) An owner issued a self-service storage specialty producer
27 license under this chapter is:

28 (a) Subject to RCW 48.17.540 through 48.17.560; and

29 (b) Not subject to the prelicensure or continuing education
30 requirements in chapter 48.17 RCW.

31 NEW SECTION. **Sec. 3.** A self-service storage specialty producer
32 license authorizes a self-service storage producer and its employees
33 and authorized representatives to offer and sell to, enroll in, and
34 bill and collect premiums from occupants for insurance covering the
35 loss of or damage to personal property stored at a facility on a
36 master, corporate, group, or individual policy basis.

1 NEW SECTION. **Sec. 4.** A self-service storage producer may not
2 issue insurance under section 3 of this act unless:

3 (1) At every location where occupants are enrolled in self-service
4 storage insurance programs, written material regarding the program is
5 made available to prospective occupants; and

6 (2) The self-service storage insurance program is operated with the
7 participation of a supervising producer who, with authorization and
8 approval from the appointing insurer, supervises a training program for
9 employees of the licensed self-service storage producer.

10 NEW SECTION. **Sec. 5.** (1) The written disclosure material required
11 in section 4 of this act must be approved by the commissioner prior to
12 the use of the material by the licensee. Disclosure material may not
13 be used that is not approved by the commissioner.

14 (2) The written material must:

15 (a) Summarize the material terms of insurance coverage offered to
16 occupants, including the name, address, telephone number of the
17 insurer, price, benefits, exclusions, and conditions;

18 (b) Prominently and conspicuously disclose that the policies
19 offered by the self-service storage producer may provide a duplication
20 of coverage already provided by an occupant's homeowner's insurance
21 policy, renter's insurance policy, vehicle insurance policy, watercraft
22 insurance policy, or other source of property insurance coverage;

23 (c) State that if insurance is required as a condition of rental,
24 the requirement may be satisfied by the occupant purchasing the
25 insurance prescribed in this section or by presenting evidence of other
26 applicable insurance coverage;

27 (d) Describe the process for filing a claim;

28 (e) State in writing all costs related to the insurance; and

29 (f) Disclose any other information required by rule by the
30 commissioner.

31 NEW SECTION. **Sec. 6.** Employees and authorized representatives of
32 a self-service storage producer may only act on behalf of the self-
33 service storage producer in the offer, sale, solicitation, or
34 enrollment of occupants in a self-service storage insurance program.
35 The conduct of these employees and authorized representatives within

1 the scope of their employment or agency is the same as conduct of the
2 self-service storage producer for purposes of this title.

3 NEW SECTION. **Sec. 7.** The commissioner may adopt rules necessary
4 for the implementation of this chapter, including, but not limited to,
5 rules governing:

6 (1) The specialty producer license application process, including
7 any forms required to be used;

8 (2) The standards for approval and the required content of written
9 materials required under section 5 of this act;

10 (3) The approval and required content of training materials
11 required under section 4 of this act;

12 (4) Establishing license fees to defray the cost of administering
13 the specialty producer licensure program;

14 (5) Establishing requirements for the remittance of premium funds
15 to the supervising producer under authority from the program insurer;
16 and

17 (6) Determining the applicability or nonapplicability of other
18 provisions of this title to this chapter.

19 NEW SECTION. **Sec. 8.** Sections 1 through 7 of this act constitute
20 a new chapter in Title 48 RCW.

21 NEW SECTION. **Sec. 9.** This act takes effect July 1, 2010.

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