

§ 58-33-27. Claims handling for portable consumer electronic devices.

(a) As used in this section, the following definitions apply:

- (1) "Automated claims adjudication system" means a preprogrammed computer system designed for the collection, data entry, calculation, and system-generated final resolution of claims on insurance policies that cover only portable consumer electronic devices, which system shall meet the following criteria:
 - a. Be utilized only by a licensed adjuster, licensed insurance producer, or supervised individuals operating pursuant to this section.
 - b. Comply with all claims payment requirements of this Chapter.
 - c. Be certified as compliant with this section by a licensed adjuster who is an officer of a licensed business entity under this Chapter.
- (2) "Portable consumer electronic devices" include the following, which must be easily carried or conveyed by hand: smartphones, navigation devices, cellular phones, personal digital assistants, iPads, iPhones, Androids, video games, wireless reading devices, laptops, tablets, netbooks, MP3 players, digital cameras, and other electronic devices that are portable in nature, their accessories, and services related to the use of the device.

(b) No adjuster license is required for an individual who, in connection with insurance covering only portable consumer electronic devices as defined in subdivision (a)(2) of this section, collects claim information from or furnishes claim information to insureds, who conducts data entry, including entering data into an automated claims adjudication system, and who does not exercise any discretion in the disposition of the portable consumer electronic device claim; provided that the individual is supervised by a licensed adjuster or licensed insurance producer and there are no more than 25 individuals who may adjust claims under the supervision of the licensed adjuster or licensed insurance producer. No insurance producer acting as a supervisor pursuant to this section is required to be licensed as an adjuster.

(c) If other property losses occur in conjunction with the loss associated with the portable consumer electronic device, the individual who performs duties as described in G.S. 58-33-10(2) on the total loss, including the loss associated with the portable consumer electronic device, must hold an adjuster's license. (2011-196, s. 8; 2022-46, s. 13(a).)