

Article 44A.

Portable Electronics Insurance.

**§ 58-44A-1. Definitions.**

As used in this Article, the following definitions apply:

- (1) Customer. – A person who purchases portable electronics or services.
- (2) Enrolled customer. – A customer who elects coverage under a portable electronics insurance policy issued to a vendor of portable electronics.
- (3) Location. – Any physical location in the State of North Carolina or any Web site, call center site, or similar location directed to residents of the State of North Carolina.
- (4) Portable electronics. – Electronic devices that are portable in nature, their accessories, and services related to the use of the device.
- (5) Portable electronics insurance. – Insurance providing coverage for the repair or replacement of portable electronics which may provide coverage for portable electronics against any one or more of the following causes of loss: (i) loss, (ii) theft, and (iii) inoperability due to mechanical failure, malfunction, damage, or other similar causes of loss. The term does not include the following:
  - a. A service contract or extended warranty providing coverage limited to the repair, replacement, or maintenance of property for the operational or structural failure of the property due to a defect in materials, workmanship, accidental damage from handling, power surges, or normal wear and tear.
  - b. A policy of insurance covering a seller's or a manufacturer's obligations under a warranty.
  - c. A homeowner's, renter's, private passenger automobile, commercial multiperil, or similar policy.
- (6) Portable electronics transaction. – Either of the following:
  - a. The sale or lease of portable electronics by a vendor to a customer.
  - b. The sale of a service related to the use of portable electronics by a vendor to a customer.
- (7) Supervising entity. – A business entity that is a licensed insurer or insurance producer.
- (8) Vendor. – A person in the business of engaging in portable electronics transactions directly or indirectly. (2011-225, s. 1.)