

2018 Kansas Statutes

40-2,202. Property and casualty insurance; limited lines; self-service storage units. (a) As used in this section:

(1) "Licensee" means a person authorized to sell limited line insurance relating to the rental of self-service storage units pursuant to K.S.A. 2018 Supp. 40-4903, and amendments thereto.

(2) "Rental agreement" means any written agreement setting forth the terms and conditions governing the use of a storage unit provided by the owner of a self-service storage facility company.

(3) "Renter" or "occupant" means any person obtaining the use of a storage unit from a self-service storage company under the terms of a rental agreement.

(4) "Self-service storage company" means any person in the business of renting storage units to the public.

(5) "Storage unit" means a semi-enclosed or fully enclosed area, room or space that is primarily intended for the storage of personal property and which shall be accessible by the renter of the unit pursuant to the terms of the rental agreement.

(b) Insurance relating to the rental of self-service storage units shall only be sold by a licensee, and no such insurance shall be sold to any person in this state unless all of the following apply:

(1) The rental period of the rental agreement does not exceed two years;

(2) at every location where such insurance agreements are executed, brochures or other written materials are readily available to the prospective renter that:

(A) Summarize, clearly and correctly, the material terms of insurance coverage, including the identity of the insurer, offered to renters;

(B) disclose that this insurance may provide duplication of coverage already provided by a renter's or homeowner's insurance policy or other source of coverage;

(C) state that the purchase by the renter of this insurance is not required in order to rent a storage unit;

(D) describe the process for filing a claim in the event the renter elects to purchase coverage and in the event of a claim; and

(E) contain any additional information on the price, benefits, exclusions, conditions or other limitations of such policies as the commissioner may, by rules and regulations, prescribe;

(3) at every location where such insurance agreements are executed, a sign, approved by the commissioner, is posted that contains the following, or substantially the same information: "State law requires the operator of this facility to inform you that insurance sold by this self-storage company may provide duplication of coverage already provided by a renter's or homeowner's policy or other source of coverage. You are encouraged to contact your primary insurance carrier if you have questions about your existing coverage."; and

(4) evidence of coverage is provided to every renter who elects to purchase such insurance.

(c) No renter or occupant shall be required to obtain insurance pursuant to this section as a condition of obtaining a rental agreement for a storage unit. The renter shall be informed that the insurance offered pursuant to this section is not required as a condition for obtaining a rental agreement for a storage unit.

(d) The commissioner shall adopt rules and regulations as necessary to carry out the provisions of this section by January 1, 2018.

History: L. 2017, ch. 69, § 1; July 1.