

R590. Insurance, Administration.

R590-210. Privacy of Consumer Information Exemption for Manufacturer Warranties and Service Contracts.

R590-210-1. Authority.

This rule is promulgated pursuant to Subsections 31A-2-202(1), 31A-2-201(2) and 31A-2-201(3)(a) in which the commissioner is empowered to administer and enforce Title 31A, to perform duties imposed by Title 31A and to make administrative rules to implement the provisions of Title 31A. Furthermore, Title V, Section 505 (15 United States Code (U.S.C.) 6805) empowers the Utah Insurance Commissioner to enforce Subtitle A of Title V of the Gramm-Leach-Bliley Act of 1999 (15 U.S.C. 6801 through 6820). The commissioner is also authorized under Subsection 31A-23a-417(3) to adopt rules implementing the requirements of Title V, Sections 501 to 505 of the federal act (15 U.S.C 6801 through 6807).

R590-210-2. Purpose.

The purpose of this rule is to exempt any person that is licensed or registered by the department that sells or provides the following from the requirements of the department's rule, R590-206:

- (1) manufacturer warranties;
- (2) manufacturer service contracts paid for with consideration that is in addition to the consideration paid for the product; and
- (3) service contracts paid for with consideration in addition to the consideration paid for the product and the service contract is for the repair or maintenance of goods, including motor vehicles.

R590-210-3. Applicability and Scope.

This rule applies only to persons licensed or registered by the department that sell or provide manufacturer warranties, manufacturer service contracts paid for with consideration that is in addition to the consideration paid for the product, and service contracts paid for with consideration in addition to the consideration paid for the product and the service contract is for the repair or maintenance of goods, including motor vehicles.

R590-210-4. Enforcement.

Persons licensed or registered by the department that sell or provide manufacturer warranties, manufacturer service contracts paid for with consideration that is in addition to the consideration paid for the product, and service contracts paid for with consideration in addition to the consideration paid for the product and the service contract is for the repair or maintenance

of goods, including motor vehicles are hereby exempted from the requirements of the department's rule, R590-206.

R590-210-5. Severability.

If any provision or clause of this rule or its application to any person or situation is held invalid, such validity shall not affect any other provision or application of this rule which can be given effect without the invalid provision or application, and to this end the provisions of this rule are declared to be severable.

KEY: insurance law privacy

Date of Enactment or Last Substantive Amendment: October 12, 2001

Notice of Continuation: August 31, 2016

Authorizing, and Implemented or Interpreted Law: 31A-2-201; 31A-2-202; 31A-23a-417; 15 U.S.C. 6801-6807