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April 3, 2017

Nevada State Legislature  
Assembly Transportation Committee

*Filed Electronically*

**RE: AB 455, Electronic Delivery of Insurance Policy Documents – NAMIC’s Written Testimony in Support**

Dear Assembly Member Richard Carrillo, Chair; Assembly Member Ellen B. Spiegel, Vice-Chair; and honorable members of the Assembly Committee on Transportation:

Thank you for affording the National Association of Mutual Insurance Companies (NAMIC) an opportunity to submit written testimony to your committee for the April 4, 2017, public hearing.

The National Association of Mutual Insurance Companies (NAMIC) is the largest property/casualty insurance trade association in the country, with more than 1,400 member companies. NAMIC supports regional and local mutual insurance companies on main streets across America and many of the country’s largest national insurers. NAMIC members represent 40 percent of the total property/casualty insurance market, serve more than 170 million policyholders, and write nearly \$225 billion in annual premiums. NAMIC has 162 members in the State of Nevada, who represent 36% of the insurance market.

NAMIC is pleased to support AB 455, because our members are committed to providing their policyholders with what they want and need, i.e. timely, convenient, and cost-effective access to their insurance policy language and insurance notices. The proposed legislation accomplishes this pro-consumer insurance information exchange and pro-business operations efficiency objective in a balanced and thoughtful manner.

Specifically, the proposed legislation is consistent with the national trend in promoting electronic communications in the insurance industry, and the proposed legislation follows standard electronic communications protocols utilized throughout the business world and e-communications processes designed to deliver legally important documents to consumers in a safe and reliable manner. AB 455 facilitates this insurance policy information exchange in a way that strictly maintains the insurance consumer’s privacy rights and preserves the insurance consumer’s right to still receive a paper copy of the policy, endorsements, and notices.

NAMIC fully supports the proposed legislation, because it promotes informed consumer choice in how they want their insurer to communicate with them about important insurance policy issues and provides for a number of significant consumer protections. AB 455 specifically requires that the insured be informed in advance of all the pertinent facts relating to the e-delivery process, including the hardware and software requirements for access to and retention of a notice or other document delivered by electronic means. The bill also expressly requires consumer consent to the e-delivery process and that the consumer be informed of their right to withdraw consent at any time, and requires the insurer to take measures reasonably calculated to ensure that delivery by electronic means results in the receipt of a notice or other document by the party.

Additionally, the proposed legislation requires an insurer to cease delivering by electronic means any notice or other document if the insurer has a reasonable basis to believe that the notice or other document was not received by the party, or the insurer becomes aware that the electronic mail address provided by the party is no longer valid.

When one considers the totality of consumer protections and electronic delivery protocols specifically enumerated in the bill, it is clear that the AB 455 is designed and intended to address the consumer's desire for e-delivery of insurance documents in a safe, expedient, and convenient manner that requires insurers to take reasonable measures to ensure e-delivery of documents and notices to their consumers.

For the aforementioned reasons, NAMIC respectfully requests that you **VOTE YES on AB 455, because insurance consumers in Nevada deserve the opportunity to benefit from modern information exchange and delivery technology.**

Thank you for your time and consideration. Please feel free to contact me at 303.907.0587 or at [crataj@namic.org](mailto:crataj@namic.org), if you would like to discuss NAMIC's written testimony.

Respectfully,



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