South Carolina Department of Insurance

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Acting Director

BULLETIN NUMBER 2022-11

TO: All Insurers, Adjusters, Producers, and other Persons Licensed and Authorized to Transact the Business of Insurance within the State of South Carolina

FROM: Michael Wise
Acting Director of Insurance

RE: *Notice of Unusual Circumstance/Catastrophe Insurance Declaration for South Carolina due to Hurricane Ian for the Purposes of Licensing Temporary Adjusters and Motor Vehicle Physical Damage Appraisers*

DATE: September 29, 2022

S.C. Code Ann. Reg. 69-1, Adjustment of Claims under Unusual Circumstances provides that:

> In the event of a catastrophe where there are insufficient licensed adjusters or motor vehicle physical damage appraisers in South Carolina to handle claims expeditiously, non-resident adjusters or motor vehicle physical damage appraisers will be permitted to enter the State to handle the adjustments arising out of the catastrophe without being required to be licensed in South Carolina, provided that the adjuster or motor vehicle physical damage appraiser exhibits evidence of an adjuster's or motor vehicle physical damage appraiser's license in his home state and remains in the State only for the period that is necessary to assist in the adjustments or appraisals.
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> An unusual circumstance or catastrophe exists when, due to a specific, infrequent, and sudden natural or man-made disaster or phenomenon, there have arisen losses to property in South Carolina that are covered by insurance, and the losses are so numerous and severe that resolution of claims related to such covered property losses will not occur expeditiously without the authorization of emergency adjusters or motor vehicle physical damage appraisers by the Department due to the magnitude of the catastrophic damage.

Hurricane Ian made landfall in Florida as a Category 4 hurricane on September 28, 2022. It is expected to cause significant and historic damage in that state. Hurricane Ian is also expected to cause damage along the coasts and inland areas of the states of Georgia, South Carolina, and North Carolina. South Carolina may be impacted significantly by this event on or before September 30, 2022. Hurricane Ian, including the anticipated strong winds, heavy rain, flash flooding, dangerous storm surge, and other hazardous weather conditions represents a significant threat to the State of South Carolina. Hurricane or tropical-storm winds, tornadoes, wind gusts, flooding and the threat of flash flooding are imminent and represent a threat to the safety, security, welfare, and property

of the citizens of the State of South Carolina necessitating the declaration of a state of emergency for this state. *See* 2022-09-28 FILED Executive Order No. 2022-28 - Declaring State of Emergency Due to Hurricane Ian.pdf (sc.gov).

Based upon this unusual circumstance and the potential for significant damage including catastrophic losses, this Department has determined in accordance with S.C. Code Ann. Reg. 69-1 that the licensure of temporary non-resident adjusters and motor vehicle physical damage appraisers may be necessary. Adjusters and motor vehicle physical damage appraisers will be available to assist with the evaluation of claims resulting from this event for South Carolina residents after the storm.

This determination is effective immediately and will continue 60 days from the date of this bulletin unless otherwise extended by the Department. Individuals interested in becoming licensed as temporary non-resident adjusters or motor vehicle physical damage appraisers may obtain the procedures and forms for licensure from this Department's website at www.doi.sc.gov/emergencyadjuster. Instructions for how to process emergency permits may also be found on this webpage.

Please direct any questions or concerns regarding this bulletin to Andrea Bourgoin at 803-737-5757.

Bulletins are the method by which the Director of Insurance formally communicates with persons and entities regulated by the Department. Bulletins are departmental interpretations of South Carolina insurance laws and regulations and provide guidance on the Department's enforcement approach. Bulletins do not provide legal advice. Readers should consult applicable statutes and regulations or contact an attorney for legal advice or for additional information on the impact of that legislation on their specific situation.