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BULLETIN NUMBER 2024-07

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
Director of Insurance

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

DATE: August 5, 2024

On August 4, 2024, Governor Henry McMaster declared a state of emergency due to expected storms, rainfall and catastrophic flooding due to Tropical Storm Debby¹ with record-breaking rainfall and the potential for massive flooding. While there will be some wind associated with this event, forecasters with the National Weather Service predict historic record amounts of rainfall throughout much of South Carolina, creating the conditions for flash flooding and other emergency conditions. This is expected to be a multi-day event with some areas of the state receiving up to 30 inches of rain resulting in catastrophic flooding in portions of the Midlands, the South Carolina low country and other areas of the state. Record-breaking rainfall will put areas of the state underwater and necessitate the closing of many roads, bridges and interstates throughout South Carolina. These events and the aftermath represent a threat to the safety, security, welfare and property of the citizens of the State of South Carolina. Significant property damage and deaths have already been associated with this severe weather event which is expected to continue in some form for several days.

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

¹ Hurricane Debby made landfall in the state of Florida as a Category 1 Hurricane. It has been downgraded to a tropical storm but is expected to go back out over the ocean where it may strengthen before making landfall again.

state and remains in the State only for the period that is necessary to assist in the adjustments or appraisals.

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.

This bulletin is issued to prepare for the impact of this emergency event on the State of South Carolina and its citizens. Based upon this unusual circumstance and the reports of significant, historic, massive and potentially catastrophic flooding, 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 immediately.

This determination is effective immediately and will continue 120 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 Bourgoïn 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.