CHAPTER 49

Motor Vehicle Physical Damage Appraisers

**SECTION 38‑49‑10.** “Motor vehicle physical damage appraiser” defined.

As used in this chapter, “motor vehicle physical damage appraiser” means a person, partnership, association, or corporation which practices as a business the appraising of damages to motor vehicles insured under automobile physical damage policies or on behalf of third party claimants.

HISTORY: Former 1976 Code Section 38‑49‑10 [1947 (45) 322; 1952 Code Section 37‑221; 1962 Code Section 37‑221] recodified as Section 38‑47‑10 by 1987 Act No. 155, Section 1; Former 1976 Code Section 56‑13‑10 [1962 Code Section 46‑750.91; 1972 (57) 2527] recodified as Section 38‑49‑10 by 1987 Act No. 155, Section 1.

CROSS REFERENCES

Department of Insurance regulations, see S.C. Code of Regulations R. 69‑1 et seq.

Library References

Insurance 3256.

Westlaw Topic No. 217.

C.J.S. Insurance Sections 1895 to 1898, 1903.

**SECTION 38‑49‑20.** License required; fee; standards for qualification, suspension, or revocation of licenses and business methods.

No person may act as an appraiser for motor vehicle physical damage claims on behalf of an insurer or firm or corporation engaged in the adjustment or appraisal of motor vehicle claims unless he has secured first a license from the director or his designee and has paid a biennial license fee of eighty dollars fully earned when received, not refundable, transferable, nor proratable. The department may prescribe reasonable regulations concerning standards for qualification, suspension, or revocation of licenses and the methods by which licensees shall conduct their business.

HISTORY: Former 1976 Code Section 38‑49‑20 [1957 (50) 534; 1962 Code Section 37‑221.1] recodified as Section 38‑47‑20 by 1987 Act No. 155, Section 1; Former 1976 Code Section 56‑13‑20 [1962 Code Section 46‑750.92; 1972 (57) 2527] recodified as Section 38‑49‑20 by 1987 Act No. 155, Section 1; 1992 Act No. 501, Part II Section 11O; 1993 Act No. 181, Section 682.

CROSS REFERENCES

Motor vehicle damage appraisers, general methods by which appraisers shall conduct their business, suspension or revocation of an appraiser’s license, see S.C. Code of Regulations R. 69‑16.

Library References

Insurance 3256.

Westlaw Topic No. 217.

C.J.S. Insurance Sections 1895 to 1898, 1903.

**SECTION 38‑49‑25.** Applicant’s business and residence address required; notice of change of address required.

When an individual applies for a motor vehicle physical damage appraiser’s license he shall supply the department his business, email, and residential addresses. The appraiser shall notify the department within thirty days of any change in these addresses.

HISTORY: 1988 Act No. 327, Section 4; 2016 Act No. 194 (H.4817), Section 7, eff May 26, 2016.

Effect of Amendment

2016 Act No. 194, Section 7, inserted “, email,”, substituted “residential addresses” for “residence address”, and twice substituted “department” for “Department”.

**SECTION 38‑49‑30.** Cancellation of license for nonpayment of fee; requirements for reinstatement.

If the biennial continuation license fee for an appraiser is not received when due, the license must be canceled. If the license is to be reinstated, an original application must be filed and a reinstatement fee equal to the biennial license fee unpaid must be paid in addition to the regular biennial license fee.

HISTORY: Former 1976 Code Section 38‑49‑30 [1947 (45) 322; 1952 Code Section 37‑222; 1962 Code Section 37‑222; 1981 Act No. 44 Section 2] recodified as Section 38‑47‑30 by 1987 Act No. 155, Section 1; New Section 38‑49‑30 enacted by 1987 Act No. 155, Section 1; 1992 Act No. 501, Part II Section 11P.

Library References

Insurance 3256.

Westlaw Topic No. 217.

C.J.S. Insurance Sections 1895 to 1898, 1903.

**SECTION 38‑49‑40.** Penalties.

Any person who violates this chapter is guilty of a misdemeanor and must, upon conviction, be fined an amount not to exceed five hundred dollars or imprisoned for a period not to exceed one year, or both.

HISTORY: Former 1976 Code Section 38‑49‑40 [1947 (45) 322; 1952 Code Section 37‑225; 1962 Code Section 37‑224; 1976 Act No. 612 Section 3] recodified as Section 38‑47‑40 by 1987 Act No. 155, Section 1; Former 1976 Code Section 56‑13‑40 [1962 Code Section 46‑750.94; 1972 (57) 2527] recodified as Section 38‑49‑40 by 1987 Act No. 155, Section 1.

Library References

Insurance 3640.

Westlaw Topic No. 217.

C.J.S. Insurance Section 148.