

## 38 FINAL REGULATIONS

### **Fiscal Impact Statement:**

The Department of Consumer Affairs estimates the costs incurred by the State in complying with the proposed regulation will be approximately \$0.

### **Statement of Rationale:**

The State Continuing Care Retirement Community Act specifically provides for the Department to promulgate regulations necessary to effectuate the purposes of the Code and these changes are being made to conform regulations to current statutory law.

Document No. 4708  
**DEPARTMENT OF CONSUMER AFFAIRS**  
CHAPTER 28  
Statutory Authority: 1976 Code Sections 39-61-10 et seq.,  
Particularly Section 39-61-160

28-80. Motor Club Certificate of Authority

### **Synopsis:**

The department proposes to amend Regulation 28-80 to clarify registration requirements and processes regarding motor club services companies and representatives.

Notice of Drafting for the proposed regulation was published in the *State Register* on August 26, 2016. Comments were solicited for consideration in drafting the proposed regulation. Proposed regulation was published in the *State Register* on October 28, 2016.

### **Instructions:**

Amend Regulation 28-80. (Motor Club Certificate of Authority) as printed below.

### **Text:**

28-80. Motor Club Certificate of Authority.

#### A. DEFINITIONS

Definitions shall be those contained in the South Carolina Motor Club Services Act, S.C. Code Ann. S. 39-61-10 et seq. (1976 as amended).

#### B. CERTIFICATES OF AUTHORITY

(1) All organizations wishing to provide motor club services in this State must first obtain a Certificate of Authority from the Administrator. Initial applications for the Certificates shall be made on a form prescribed by the Administrator.

(2) Certificates of Authority expire on October 31. The renewal period will be between September 1 and October 31 of each year. Renewal applications shall be made on a form prescribed by the Administrator and must be accompanied by a copy of the club's most recent financial statement certified by two principal officers of the club, or in the case of partnerships or sole proprietorships, by a partner or the proprietor.

(3) Issuance of a Certificate of Authority does not indicate approval or acceptance of the terms of any contract, agreement or other document submitted in support of the application. No organization providing motor club services shall in any way represent that its services, payment schedules or terms of membership are approved by the State or any state agency.

#### C. CLUB REPRESENTATIVES

(1) Club representatives must be registered with the Administrator within 30 days of the date on which they are designated as a club representative. Each representative must submit an application for registration on a form prescribed by the Administrator.

(2) Clubs shall appoint representatives and pay a non-refundable application fee for each representative appointed.

(3) A club representative's Certificate of Registration expires on April 30. The renewal period will be between March 1 and April 30 of each year. Renewal applications shall be made on forms prescribed by the Administrator.

(4) When a club representative's appointment is terminated, the club must notify the Administrator within 30 days of termination on a form prescribed by the Administrator.

#### **Fiscal Impact Statement:**

The Department of Consumer Affairs estimates the costs incurred by the State in complying with the proposed regulation will be approximately \$0.

#### **Statement of Rationale:**

The department is revising this regulation in order to clarify registration requirements and processes regarding motor club services companies and representatives.

Document No. 4709

### **DEPARTMENT OF CONSUMER AFFAIRS**

#### **CHAPTER 28**

Statutory Authority: 1976 Code Sections 37-16-10 et seq.,  
Particularly Section 37-16-90

28-1100. Prepaid Legal Services Certificate of Registration

#### **Synopsis:**

The department proposes to amend Regulation 28-1100 to clarify regulatory language to provide for licensing applications to be filed using the Department's new online filing system.

Notice of Drafting for the proposed regulation was published in the *State Register* on August 26, 2016. Comments were solicited for consideration in drafting the proposed regulation. Proposed regulation was published in the *State Register* on October 28, 2016.

#### **Instructions:**

Amend Regulation 28-1100. (Prepaid Legal Services Certificate of Registration) as printed below.