

## **MOTOR CLUB SERVICES ACT REGULATION**

28-80. Motor Club Certificate of Authority.

(Statutory Authority: 1976 Code Sections 39-61-160, 39-61-30, 39-61-60, 39-61-70, and 39-61-120)

### 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 of the Department of Consumer Affairs. Initial applications for the Certificate will be made on the forms prescribed by the Administrator.

(2). Certificates of Authority will be renewed upon payment of an annual renewal fee of \$500.00 on or before October 31. The renewal period will be between September 1 and October 31 of each year. Renewal requests may be made by letter 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 forms prescribed by the Administrator.

(2). Clubs will consolidate all representative registration applications, prepare a motor club representative appointment summary form prescribed by the Administrator, and submit the summary, all application forms and a fee of \$20.00 for each representative listed on the summary form for approval by the Administrator.

(3). Club representatives will be issued an identification card which must be in their possession when they are directly soliciting, negotiating or renewing service contracts in the State of South Carolina.

(4). Club representatives registration will be renewed upon payment of an annual fee of \$20.00 per representative on or before April 30. The renewal period will be between March 1 and April 30 of each year. Renewal requests will be made on the

motor club representative appointment summary form prescribed by the Administrator. Individual application forms are not required for the renewal of club representatives. The renewal summary form must be accompanied by a check for the total amount of fees due.

(5). When a club representative is terminated, the club must notify the Administrator by filing a representative registration cancellation form prescribed by the Administrator within 30 days of termination. The identification cards of all terminated representatives must accompany the application form. In the event the company is unable to furnish the identification card, a signed and notarized written statement explaining the inability may be sent in lieu of the card.