

**ALABAMA DEPARTMENT OF INSURANCE
STATE FIRE MARSHAL REGULATION**

CHAPTER 482-2-112

REPORTS OF FIRES TO STATE FIRE MARSHAL

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Chapter 482-2-112

Rule 482-2-112-.01. Authority, Purpose, Severability, and Effective Date.

(1) This chapter is adopted pursuant to Ala. Code §§ 27-2-17, 36-19-3, 36-19-6, 36-19-9, 36-19-24, and 36-19-42.

(2) The purpose of this chapter is to adopt the rules necessary to implement the provisions of Ala. Code §§ 36-19-9, 36-19-24, and 36-19-42.

(3) The provisions of this chapter are severable. If any provision or the application thereof to any person or circumstance is held invalid for any reason, the invalidity shall not affect the other provisions or any other application of this chapter which can be given effect without the invalid provisions or application.

(4) This chapter shall be effective upon its approval by the Commissioner of Insurance and upon its having been on file as a public document in the office of the Secretary of State for ten days.

Author: State Fire Marshal

Statutory Authority: Ala. Code §§ 27-2-17, 36-19-3, 36-19-6, 36-19-9, 36-19-24 & 36-19-42

History: New November 8, 2021, Effective January 1, 2022

Rule 482-2-112-.02. Applicability.

(1) The fire reporting procedures set forth in Rule 482-2-112-.03 shall apply to all officials designated in Ala. Code § 36-19-3 to be assistants to the State Fire Marshal, as follows:

(a) For every incorporated city or town in which a fire department is established: The chief of the fire department, the chief of police, or marshal.

(b) For each incorporated town in which no fire department exists: The mayor.

(c) For all areas outside the limits of any incorporated city or town of each county: The sheriff. The sheriffs of the several counties are encouraged to coordinate this responsibility with any and all volunteer fire departments or fire protection authorities operating in the unincorporated areas of their counties.

(2) The fire losses reporting procedures set forth in Rule 482-2-112-.04 shall apply to every fire insurance company transacting business in this state.

Author: State Fire Marshal

Statutory Authority: Ala. Code §§ 27-2-17, 36-19-3, 36-19-6, 36-19-9, 36-19-24 & 36-19-42

History: New November 8, 2021, Effective January 1, 2022

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482-2-112-.03 Reports of Fires by Jurisdiction Officials. The State Fire Marshal hereby sets the following procedures for compliance with the fire reporting requirement of Ala. Code § 36-19-6:

(a) All reports are to be filed by the official indicated in paragraph (1) of Rule 482-2-112-.02 in accordance with the procedures set forth in this rule within ten (10) days after the occurrence of the fire.

(b) All reports filed in accordance with this rule shall be submitted according to the instructions for on-line reporting of fires, as it may change from time to time, as provided on the web site of the State Fire Marshal.

Author: State Fire Marshal

Statutory Authority: Ala. Code §§ 27-2-17, 36-19-3, 36-19-6, & 36-19-9

History: New November 8, 2021, Effective January 1, 2022

482-2-112-.04 Reports of Fire Losses by Fire Insurance Companies. The State Fire Marshal hereby sets the following procedures for compliance with the fire loss reporting requirements of Ala. Code §§ 36-19-24 and 36-19-42:

(a) **All fire losses.** A monthly report shall be filed by the secretary or other representative of the insurance company in accordance with the procedures set forth in this rule regarding all fire losses on all property insured by the insurer in this state. This report shall be filed in accordance with this rule on or before the tenth day of the month following after the occurrence of the fire losses and shall contain the following information regarding all fire losses incurred by the insurer during the month:

1. The name of the owner and occupant of the property burned.
2. The date of the fire.
3. The location of the property.
4. The cause of the fire.
5. The occupancy of the property.
6. The amount of insurance.
7. The sound value (actual cash value) of the property.
8. The amount of loss paid.

(b) **Fires of suspicious origin; Fire losses caused by other than accidental means.** When an insurer has reason to believe a fire loss to its insured's real or personal property in this state was caused by other than accidental means or is of suspicious origin, an immediate preliminary report shall be made by a representative of the insurance company in accordance with the procedures set forth in this rule. The preliminary report shall be filed in accordance

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with this rule within twenty-four (24) hours of discovery by the insurer and shall contain the following information:

1. The name of the owner and occupant of the property burned.
2. The date of the fire.
3. The location of the property.
4. The occupancy of the property.
5. The facts and circumstances as known by the insurer tending to establish the cause and origin of the fire.
6. A description of all relative material acquired by the insurer during its investigation of the fire loss.

(c) All reports filed in accordance with this rule shall be submitted according to the instructions for on-line reporting of fires, as it may change from time to time, as provided on the web site of the State Fire Marshal.

Author: State Fire Marshal

Statutory Authority: Ala. Code §§ 27-2-17, 36-19-9, 36-19-24 & 36-19-42

History: New November 8, 2021, Effective January 1, 2022