

GET HELP!

FEMA helpline, 800.621.3362 (emergency assistance)

Texas RioGrande Legal Aid, 866.757.1570 (legal)

State Bar of Texas, 800.504.7030 www.texasbar.com/floodresponse (legal)



Flooded Vehicle

My car was washed away (or missing). What do I do? Try to get the Vehicle Identification Number (VIN) and license plate number, which can be part of the title, registration, or insurance policy. Your auto lender or auto mechanic might also have this information in their files. Contact your local police or sheriff's department to report the loss, provide the identifying information and check periodically to see if it has turned up as an unclaimed or abandoned vehicle. The National Motor Vehicle Title Information System (NMVTIS) provides title information on vehicles across the country by VIN; check to see if yours has been sold or salvaged. There is a fee to search the NMVTIS. To search a vehicle, go to www.texasdmv.gov.

Should I make a claim for flood damage to my vehicle? If your vehicle looks like it was partially or totally submerged at some point, even if it seems to be running normally, do the following:

1. *Document the damage:* Use your smart phone or camera to take photos inside and outside of the vehicle, preferably before trying to move or start it. Check for water lines or marks that might show the level of the water. Photograph soaked floors, upholstery, the engine, damaged personal belongings inside the car and any other evidence of water damage.

2. *Check your policy:* Before making a claim, review your insurance coverage. If you have liability only, your loss isn't covered. The front page of your policy (the "Declarations Page") shows the name of your insurance company, policy number, and the amount of each of your coverages and deductibles. If you don't have a copy of your policy, you might be able to view or download one from your insurance company's website or ask them to send you a copy.

Will my auto insurance cover the flood damage? It depends on your policy and whether you still owe money on the car.

Liability only: Texas law requires all drivers to carry liability insurance, which pays to repair or replace the other driver's car when you are at fault in an accident. Liability insurance doesn't pay to repair or replace your car. If you have the minimum coverage (liability only) flood damage will not be covered.

Comprehensive: If you are making car payments to a lender, the lender will require you to carry collision and comprehensive insurance coverage. Collision insurance pays for damage to your car as a result of an auto accident. Comprehensive insurance covers damage for reasons *other* than an auto accident. If you have comprehensive coverage, the flood damage is probably covered.

My insurer says car is a total loss. If the repairs are more than the car is worth, the insurance company will pay you (or your lender, if you have a car note) the fair market value of the vehicle minus your deductible. If you think the adjuster's estimate is too low, ask for an explanation of the estimated value. You can compare the value of your vehicle to similar vehicles for sale in your area to come up with an alternative estimate. Kelly Blue Book (www.kbb.com/whats-my-car-worth/) and auto dealers like CarMax (www.carmax.com/enus/car-search/default.html) are a good place to start. If you still can't agree on the value, ask for an appraisal. Check your policy for procedures to challenge the insurance company's estimate.

The insurance settlement is less than what I owe on the car note. Do I have to pay the difference?

Yes. If you have comprehensive coverage and the insurer says the car is worth less than what you owe the lender, you're still responsible for paying the difference. If the insurance company makes the check payable to you and the lender, both you and the lender must endorse the check before funds will be released from the insurer. The lender may then try to recover the deficiency from you.

If you have problems with your insurance company, contact the Texas Department of Insurance Consumer Help Line at 1-800-252-3439, or go to www.tdi.texas.gov/consumer/complfrm.html.