**South Carolina General Assembly**

118th Session, 2009-2010

**H. 4561**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Bales

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Introduced in the House on February 17, 2010

Currently residing in the House Committee on **Labor, Commerce and Industry**

Summary: Warranties

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/17/2010 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2010\02-17-10.docx)‑6

2/17/2010 House Referred to Committee on **Labor, Commerce and Industry** [HJ](file:///h:\HJ%20Archive\2010\02-17-10.docx)‑6

**VERSIONS OF THIS BILL**

[2/17/2010](file:///p:\pprever\2009-10\4561_20100217.docx)

**A** **BILL**

TO AMEND SECTION 56‑28‑10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF TERMS CONTAINED IN PROVISIONS THAT RELATE TO THE ENFORCEMENT OF MOTOR VEHICLE EXPRESS WARRANTIES, SO AS TO PROVIDE THAT THESE PROVISIONS APPLY TO BOTH PRIVATE PASSENGER MOTOR VEHICLES AND MOTORCYCLES.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 56‑28‑10 of the 1976 Code is amended to read:

“Section 56‑28‑10. As used in this chapter:

(1) ‘Consumer’ means the purchaser or lessor, other than for purposes of resale, of a motor vehicle normally used for personal, family, or household purposes and subject to the manufacturer’s express warranty, and any other person entitled by the warranty to enforce the obligations of the warranty.

(2) ‘Manufacturer’ means any person, resident, or nonresident, who manufactures or assembles or imports or distributes new motor vehicles which are to be sold in the State.

(3) ‘Manufacturer’s express warranty’ or “warranty” means the written warranty, so labeled, of the manufacturer of a new motor vehicle, including any terms or conditions precedent to the enforcement of obligations under that warranty.

(4) ‘Motor vehicle’ means a private passenger motor vehicle, as classified by Section 56‑3‑630, and a motorcycle, but ~~excluding~~ excludes the living portion of recreational vehicles and off‑road vehicles, which ~~is~~ are sold and registered in this State.

(5) A ‘new motor vehicle’ means a private passenger motor vehicle or a motorcycle which has been sold to a new motor vehicle or motorcycle dealer by a manufacturer and which has not been used for other than demonstration purposes and on which the original title has not been issued from the new motor vehicle or motorcycle dealer.

(6) ‘Nonconformity’ means a defect or condition that substantially impairs the use, value, or safety of a motor vehicle, but does not include a defect or condition that results from an accident, modification, or alteration of the motor vehicle by persons other than the manufacturer or its authorized service agent.”

SECTION 2. This act takes effect upon approval by the Governor.

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