DISCLAIMER

The South Carolina Legislative Council is offering access to the unannotated South Carolina Code of Laws on the Internet as a service to the public. The unannotated South Carolina Code on the General Assembly's website is now current through the 2011 session. The unannotated South Carolina Code, consisting only of Code text, numbering, and history may be copied from this website at the reader's expense and effort without need for permission.

The Legislative Council is unable to assist users of this service with legal questions. Also, legislative staff cannot respond to requests for legal advice or the application of the law to specific facts. Therefore, to understand and protect your legal rights, you should consult your own private lawyer regarding all legal questions.

While every effort was made to ensure the accuracy and completeness of the unannotated South Carolina Code available on the South Carolina General Assembly's website, the unannotated South Carolina Code is not official, and the state agencies preparing this website and the General Assembly are not responsible for any errors or omissions which may occur in these files. Only the current published volumes of the South Carolina Code of Laws Annotated and any pertinent acts and joint resolutions contain the official version.

Please note that the Legislative Council is not able to respond to individual inquiries regarding research or the features, format, or use of this website. However, you may notify Legislative Printing, Information and Technology Systems at LPITS@scstatehouse.gov regarding any apparent errors or omissions in content of Code sections on this website, in which case LPITS will relay the information to appropriate staff members of the South Carolina Legislative Council for investigation.

CHAPTER 49.

 ELECTRIC STORAGE BATTERIES

**SECTION 39‑49‑10.** "Rental battery" defined.

 As used in this chapter the words "rental battery" shall mean an electric storage battery loaned, rented or furnished for temporary use by any person engaged in the business of buying, selling, repairing or recharging electric storage batteries.

HISTORY: 1962 Code Section 66‑501; 1952 Code Section 66‑501; 1942 Code Section 1159; 1932 Code Section 1159; 1926 (34) 979; 1933 (38) 256; 1939 (41) 452.

**SECTION 39‑49‑20.** Identifying batteries as "rental."

 Any such person may mark any such battery belonging to him with the word "rental" or any other word of similar meaning, printed or stamped upon or attached to such battery, together with such words as shall identify such battery as the property of the person so marking it. It shall be unlawful for any person to so mark any such battery which is not the property of such person.

HISTORY: 1962 Code Section 66‑502; 1952 Code Section 66‑502; 1942 Code Section 1159; 1932 Code Section 1159; 1926 (34) 979; 1933 (38) 256; 1939 (41) 452.

**SECTION 39‑49‑30.** Alteration of "rental" indicator shall be unlawful.

 It is unlawful for any person to remove, deface, alter or destroy the word "rental" on any rental battery or any other word, mark or character printed, painted or stamped upon or attached to any rental battery to identify it as belonging to or being the property of any person.

HISTORY: 1962 Code Section 66‑503; 1952 Code Section 66‑503; 1942 Code Section 1159; 1932 Code Section 1159; 1926 (34) 979; 1933 (38) 256; 1939 (41) 452.

**SECTION 39‑49‑40.** Unauthorized sale, delivery or rental of marked battery.

 It is unlawful for any person other than the owner thereof to sell, dispose of, deliver, rent or give to any other person any rental battery marked by the owner thereof as provided by Section 39‑49‑20.

HISTORY: 1962 Code Section 66‑504; 1952 Code Section 66‑504; 1942 Code Section 1159; 1932 Code Section 1159; 1926 (34) 979; 1933 (38) 256; 1939 (41) 452.

**SECTION 39‑49‑50.** Unlawful recharge or repair of marked battery of another.

 It is unlawful for any person engaged in the business of buying, selling, repairing or recharging electric storage batteries to recharge or repair any rental battery not owned by such person and marked by the owner thereof as provided by Section 39‑49‑20.

HISTORY: 1962 Code Section 66‑505; 1952 Code Section 66‑505; 1942 Code Section 1159; 1932 Code Section 1159; 1926 (34) 979; 1933 (38) 256; 1939 (41) 452.

**SECTION 39‑49‑60.** Unauthorized retention of marked battery of another; demand for possession.

 It is unlawful for any person to retain in his possession for a longer period than ten days, without the written consent of the owner, any rental battery marked as such by the owner, as provided by Section 39‑49‑20. Demand must be made on any person who so retains a rental battery in his possession at least five days before a prosecution can be instituted. Proof of a registered letter having been sent to the person so offending at his last known address shall be accepted as conclusive evidence of such demand.

HISTORY: 1962 Code Section 66‑506; 1952 Code Section 66‑506; 1942 Code Section 1159; 1932 Code Section 1159; 1926 (34) 979; 1933 (38) 256; 1939 (41) 452.

**SECTION 39‑49‑70.** Sale of rebuilt electric storage batteries not marked as "Rebuilt."

 Whoever assembles or rebuilds an electric storage battery for use on automobiles, in whole or in part, out of secondhand or used material such as containers, separators, plates, groups or other battery parts and sells it or offers it for sale in the State without the word "Rebuilt" moulded into the side of the container in letters which are at least one inch high and five eighths of an inch wide shall be guilty of a misdemeanor.

HISTORY: 1962 Code Section 66‑507; 1952 Code Section 66‑507; 1942 Code Section 1159‑1; 1933 (38) 482.

**SECTION 39‑49‑80.** Penalties.

 Any person, including any officer, agent, employee or member of any firm or corporation violating any of the provisions of Sections 39‑49‑10 to 39‑49‑60 shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one hundred dollars or be imprisoned for a term not exceeding thirty days, at the discretion of the court.

HISTORY: 1962 Code Section 66‑508; 1952 Code Section 66‑508; 1942 Code Section 1159; 1932 Code Section 1159; 1926 (34) 979; 1933 (38) 256; 1939 (41) 452.