

## Session 117 - (2007-2008)

### **H\*3323 (Rat #0371, Act #0290 of 2008) General Bill, By Harrison and Cotty**

**Summary:** Motor vehicle or mobile home

AN ACT TO AMEND SECTION 56-19-265, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF MOTOR VEHICLES' ACCEPTANCE OF ELECTRONICALLY FILED LIEN INFORMATION FOR NEWLY ACQUIRED VEHICLES, VEHICLES ALREADY TITLED, AND LIEN RELEASES, AND THE COLLECTION OF A TRANSACTION FEE FOR THE TRANSMISSION OR RETRIEVAL OF DATA FROM THE DEPARTMENT PURSUANT TO THIS SECTION, SO AS TO PROVIDE THAT IF THERE ARE ONE OR MORE LIENS OR ENCUMBRANCES ON A MOTOR VEHICLE OR MOBILE HOME, THE DEPARTMENT SHALL TRANSMIT ELECTRONICALLY OR BY PAPER CERTIFICATE THE LIEN TO THE FIRST LIENHOLDER AND NOTIFY THE FIRST LIENHOLDER OF ANY ADDITIONAL LIENS, AND LIEN SATISFACTIONS, TO PROVIDE WHEN ELECTRONIC TRANSMISSION OF LIENS AND LIEN SATISFACTIONS IS USED, A CERTIFICATE OF TITLE MAY BE ISSUED WHEN THE LAST LIEN IS SATISFIED AND A CLEAR CERTIFICATE IS ISSUED, TO PROVIDE THAT WHEN A MOTOR VEHICLE OR MOBILE HOME IS SUBJECT TO AN ELECTRONIC LIEN, ITS CERTIFICATE OF TITLE IS PHYSICALLY HELD BY THE LIENHOLDER, TO PROVIDE THAT A CERTIFIED COPY OF AN ELECTRONIC RECORD OF A LIEN IS ADMISSIBLE IN COURT AS EVIDENCE OF THE EXISTENCE OF A LIEN, TO PROVIDE THAT THE LIENHOLDER HAS THE OPTION TO RECEIVE A PAPER CERTIFICATE OF TITLE AND TO RECEIVE NOTICES OF SUBSEQUENT LIENS AND SATISFACTION OF LIENS BY THE UNITED STATES POSTAL SERVICE, AND TO PROVIDE THAT A TRANSACTION FEE MAY BE COLLECTED BY COMMERCIAL PARTIES AND LENDERS WHO TRANSMIT OR RETRIEVE DATA PURSUANT TO THIS SECTION. - ratified title

01/23/07	House	Introduced and read first time HJ-2
01/23/07	House	Referred to Committee on Education and Public Works HJ-3
01/30/07	House	Member(s) request name added as sponsor: Cotty
03/13/07	House	Committee report: Favorable with amendment Education and Public Works HJ-39
03/14/07		Scrivener's error corrected
03/20/07	House	Amended HJ-24
03/20/07	House	Read second time HJ-26
03/21/07	House	Read third time and sent to Senate HJ-12
03/21/07	Senate	Introduced and read first time SJ-8
03/21/07	Senate	Referred to Committee on Transportation SJ-8
04/24/08	Senate	Committee report: Favorable with amendment Transportation SJ-20
05/29/08	Senate	Committee Amendment Adopted SJ-42
05/29/08	Senate	Read second time SJ-42
05/29/08	Senate	Unanimous consent for third reading on next legislative day SJ-42
05/30/08	Senate	Read third time and returned to House with amendments SJ-2
06/03/08	House	Concurred in Senate amendment and enrolled HJ-16
06/05/08		Ratified R 371
06/11/08		Signed By Governor
06/18/08		Copies available
06/18/08		Effective date 06/11/08
06/19/08		Act No. 290