

## Session 124 - (2021-2022)

**H\*3729 (Rat #0267, Act #0233 of 2022) General Bill, By Sandifer and Cogswell**

**Similar (S 0535)**

**Summary:** Parking on private property with permission

AN ACT TO AMEND SECTION 16-11-760, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VEHICLES PARKED ON PRIVATE PROPERTY WITHOUT PERMISSION, THE TOWING AND SALES OF THE VEHICLES, AND PENALTIES FOR VIOLATING THIS SECTION, SO AS TO PROVIDE VEHICLES FOUND PARKED ON PRIVATE PROPERTY WHICH ARE TOWED ARE SUBJECT TO CERTAIN LIMITATIONS ON ALLOWED STORAGE CHARGES; TO AMEND SECTION 29-15-10, RELATING TO REPAIR AND STORAGE LIENS, AND THE SALE OF STORAGE ARTICLES, SO AS TO PROVIDE NOTICES TO OWNERS OF ARTICLES TO BE SOLD MUST BE MADE BY REGISTERED OR CERTIFIED MAIL, RETURN RECEIPT REQUESTED, OR CERTIFIED MAIL WITH ELECTRONIC TRACKING, TO REVISE THE MAXIMUM PERIOD STORAGE CHARGES CAN ACCRUE BEFORE THE LOCATIONS OF THE ARTICLES ARE SENT TO THEIR OWNERS OR LIENHOLDERS, TO PROVIDE FOR THE CONTENTS OF THE NOTICES, TO PROVIDE THE STORAGE COSTS MAY BE CHARGED AFTER NOTICES ARE SENT, TO PROVIDE APPROPRIATE TITLING FACILITIES MUST BE CONTACTED TO OBTAIN THE NAMES AND ADDRESSES OF OWNERS OR LIENHOLDERS OF ARTICLES BEFORE THEY ARE SOLD, TO REVISE THE METHOD MAGISTRATES MUST USE TO NOTIFY OWNERS AND LIENHOLDERS OF THEIR RIGHTS TO CLAIM PROCEEDS FROM THE SALE OF CERTAIN ARTICLES TO INCLUDE BY CERTIFIED MAIL WITH ELECTRONIC TRACKING; TO PROVIDE PERSONS WHO REPAIR OR FURNISH MATERIAL FOR REPAIRS TO ARTICLES MAY HOLD THE LICENSE TAGS OF VEHICLES UNTIL ALL TOWING AND STORAGE COSTS ALLOWED UNDER THIS SECTION ARE PAID UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 56-5-5630, RELATING TO NOTICES THAT MUST BE PROVIDED TO REGISTERED OWNERS AND LIENHOLDERS OF ABANDONED AND STOLEN VEHICLES TAKEN INTO CUSTODY, COSTS IMPOSED FOR THE RELEASE OF THESE VEHICLES, AND COURT-ORDERED RESTITUTION THAT MAY BE IMPOSED ON PERSONS CONVICTED OF STEALING VEHICLES, SO AS TO DELETE THE PROVISION THAT LIMITS THE RECOVERY OF STORAGE COSTS FOR CERTAIN VEHICLES TO SIX DAYS, TO REVISE THE ALLOWABLE TYPES OF NOTIFICATIONS TO INCLUDE CERTIFIED MAIL WITH ELECTRONIC TRACKING, TO MAKE TECHNICAL CHANGES, TO PROVIDE CERTAIN ALLOWABLE STORAGE COSTS MAY BE RECOVERED, AND TO PROVIDE LAW ENFORCEMENT AGENCIES MUST INFORM OWNERS OF RECOVERED VEHICLES WITHIN TWO BUSINESS DAYS AFTER VEHICLES ARE RECOVERED AND EXPLAIN THAT DAILY STORAGE CHARGES MAY BEGIN TO ACCRUE; TO AMEND SECTION 56-5-5635, RELATING TO LAW ENFORCEMENT OFFICERS DIRECTING VEHICLES TO BE TOWED, STORAGE PROCEDURES, NOTIFICATION PROVIDED TO OWNERS OF TOWED VEHICLES, AND THE DISPOSITION OF TOWED VEHICLES AND PERSONAL PROPERTY, SO AS TO DELETE THE PROVISION THAT PROVIDES CERTAIN PROPRIETORS, OWNERS, OR OPERATORS OF TOWING COMPANIES, STORAGE FACILITIES, GARAGES, OR REPAIR SHOPS WHO FAIL TO PROVIDE LAW ENFORCEMENT AGENCIES WITH LISTS DESCRIBING VEHICLES REMAINING IN THEIR POSSESSION MAY FORFEIT RECOVERY OF CERTAIN STORAGE FEES, TO REVISE THE TYPES OF NOTICES THESE FACILITIES MUST PROVIDE REGISTERED OWNERS AND LIENHOLDERS OF RECORD THAT THEIR VEHICLES HAVE BEEN TAKEN INTO CUSTODY TO INCLUDE CERTIFIED MAIL WITH ELECTRONIC TRACKING, TO MAKE A TECHNICAL CHANGE, TO PROVIDE THESE FACILITIES MUST APPLY TO THE APPROPRIATE TITLING FACILITIES TO OBTAIN THE NAMES AND ADDRESSES OF OWNERS OR LIENHOLDERS OF VEHICLES BEFORE THEY ARE SOLD AND TO ADD ADDITIONAL FACILITIES TO THE LIST OF APPROPRIATE TITLING FACILITIES, AND TO DELETE THE PROVISION THAT RELATES TO THE IMPOSITION AND RECOVERY OF CERTAIN STORAGE COSTS; AND TO AMEND SECTION 56-5-5640, RELATING TO THE SALE OF UNCLAIMED ABANDONED VEHICLES AND THE DISPOSITION OF SALES PROCEEDS, SO AS TO PROVIDE CERTAIN COSTS OF STORING VEHICLES THAT ACCRUED BEFORE CERTAIN NOTIFICATION OF THE LOCATION OF THE VEHICLE IS MAILED MAY BE CHARGED. - ratified title

**01/27/21 House Introduced and read first time (House Journal-page 14)**

**01/27/21 House Referred to Committee on Labor, Commerce and Industry (House Journal-page 14)**

**02/24/22 House Committee report: Favorable with amendment Labor, Commerce and Industry (House Journal-page 14)**

**02/28/22 Scrivener's error corrected**

**03/01/22 House Member(s) request name added as sponsor: Cogswell**

**03/01/22 House Amended (House Journal-page 40)**

**03/01/22 House Read second time (House Journal-page 40)**

**03/01/22 House Roll call Yeas-102 Nays-0 (House Journal-page 40)**

03/02/22 House Read third time and sent to Senate (House Journal-page 11)  
03/02/22 Senate Introduced and read first time (Senate Journal-page 6)  
03/02/22 Senate Referred to Committee on Transportation (Senate Journal-page 6)  
03/17/22 Senate Committee report: Favorable with amendment Transportation (Senate Journal-page 7)  
03/21/22 Scrivener's error corrected  
04/19/22 Senate Committee Amendment Adopted (Senate Journal-page 21)  
04/19/22 Senate Amended (Senate Journal-page 21)  
04/19/22 Senate Read second time (Senate Journal-page 21)  
04/19/22 Senate Roll call Ayes-40 Nays-0 (Senate Journal-page 21)  
04/20/22 Scrivener's error corrected  
04/20/22 Senate Read third time and returned to House with amendments (Senate Journal-page 24)  
04/20/22 Scrivener's error corrected  
04/26/22 Scrivener's error corrected  
04/26/22 House Non-concurrence in Senate amendment (House Journal-page 25)  
04/26/22 House Roll call Yeas-0 Nays-107 (House Journal-page 26)  
04/28/22 Senate Senate insists upon amendment and conference committee appointed Climer, Bright Matthews, Bennett (Senate Journal-page 17)  
05/03/22 House Conference committee appointed Wooten, Blackwell, Jefferson (House Journal-page 2)  
05/12/22 House Conference report received and adopted (House Journal-page 180)  
05/12/22 House Roll call Yeas-106 Nays-0 (House Journal-page 189)  
05/12/22 Senate Conference report received and adopted  
06/15/22 House Ordered enrolled for ratification (House Journal-page 11)  
06/16/22 Ratified R 267  
06/17/22 Signed By Governor  
06/28/22 Effective date 06/17/22  
06/28/22 Act No. 233