

## Session 113 - (1999-2000)

**H\*4450 (Rat #0316, Act #0287 of 2000) General Bill, By Harrison, Cato, Wilkins, Sharpe, Jennings, Allison, Altman, Askins, Bailey, Barfield, Barrett, Battle, Bowers, G.A. Brown, H. Brown, Carnell, Cooper, Dantzler, Davenport, Easterday, Edge, Gamble, Harrell, Harris, Harvin, Haskins, Hawkins, Hinson, Huggins, Keegan, Kelley, Kirsh, Klauber, Knotts, Koon, Lanford, Leach, Lee, Limehouse, Littlejohn, Loftis, Lourie, Mack, Maddox, Martin, McCraw, McGee, M. McLeod, W. McLeod, McMahand, Meacham-Richardson, Miller, Ott, Phillips, Quinn, Rhoad, Rice, Riser, Robinson, Rodgers, Sandifer, Seithel, Simrill, D. Smith, J. Smith, R. Smith, Taylor, Townsend, Tripp, Trotter, Walker, Wilder, Wilkes, Witherspoon, Woodrum, Young-Brickell, Vaughn, Law, Stuart, Emory and Whatley**

### **Similar (S 1044)**

**Summary:** Motor vehicle dealerships, manufacturer not to own or operate; Lemon law, title; Electronic sales; Consumer Affairs

A BILL TO AMEND CHAPTER 15, TITLE 56, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REGULATION OF MOTOR VEHICLE MANUFACTURERS, DISTRIBUTORS, AND DEALERS, BY ADDING SECTION 56-15-45 SO AS TO PROHIBIT OWNERSHIP, OPERATION, OR CONTROL OF COMPETING DEALERSHIPS BY A MANUFACTURER OR FRANCHISOR EXCEPT UNDER CERTAIN CIRCUMSTANCES, PROHIBIT UNFAIR COMPETITION BY A MANUFACTURER OR FRANCHISOR AGAINST A FRANCHISEE, DEFINE PREFERENTIAL TREATMENT GIVING RISE TO A PRESUMPTION OF UNFAIR COMPETITION, EXEMPT SALES BY MANUFACTURERS OR FRANCHISORS TO THEIR EMPLOYEES AND TO THE FEDERAL GOVERNMENT, AND TO ALLOW SALES BY LESSORS TO LESSEES AND ELECTRONIC REFERRALS BY WAY OF A MANUFACTURER'S OR FRANCHISOR'S WEBSITE; BY ADDING SECTION 56-15-46 SO AS TO REQUIRE WRITTEN NOTICE TO A CURRENT DEALERSHIP OF THE INTENTION OF A FRANCHISOR TO RELOCATE AN EXISTING DEALERSHIP OR TO ESTABLISH A NEW DEALERSHIP WITHIN A TEN-MILE RADIUS OF THE CURRENT DEALERSHIP, PROVIDE GROUNDS FOR INJUNCTION OF THAT ESTABLISHMENT OR RELOCATION, AND PROVIDE FOR EXCEPTIONS; TO AMEND SECTION 56-15-60, RELATING TO DEALERS' CLAIMS FOR COMPENSATION, SO AS TO LIMIT THE AUDIT PERIOD FOR INCENTIVE COMPENSATION PROGRAMS AND ALLOW FOR REIMBURSEMENT OF A CLAIM PAYMENT IF THE CLAIM IS MATERIALLY DEFECTIVE; BY ADDING SECTION 56-15-85 SO AS TO PROVIDE FOR THE ELECTRONIC SALE OF MOTOR VEHICLES TO CONSUMERS IN THIS STATE BY A DEALERSHIP LOCATED IN THIS STATE; BY ADDING SECTION 56-15-140 SO AS TO PROVIDE FOR VENUE FOR ACTIONS FILED PURSUANT TO THIS ACT IN THIS STATE, NOTWITHSTANDING AN AGREEMENT TO THE CONTRARY; AND BY ADDING SECTION 56-19-490 SO AS TO REQUIRE THAT THE TITLE OF A MOTOR VEHICLE REFLECT THAT IT WAS RETURNED TO A MANUFACTURER PURSUANT TO A "LEMON LAW" OR SIMILAR PROCEEDING.-AMENDED TITLE

01/18/00	House	Introduced and read first time HJ-15
01/18/00	House	Referred to Committee on Labor, Commerce and Industry HJ-15
02/16/00	House	Committee report: Favorable Labor, Commerce and Industry HJ-3
02/17/00	House	Member(s) request name removed as sponsor: McKay
02/22/00	House	Requests for debate-Rep(s). Scott, JH Neal, Bales, Breeland, Mack and Hayes HJ-14
02/24/00	House	Debate interrupted HJ-50
02/29/00	House	Requests for debate removed-Rep(s). Hayes HJ-40
03/01/00	House	Amended HJ-36
03/01/00	House	Read second time HJ-45
03/01/00	House	Roll call Yeas-96 Nays-3 HJ-45
03/02/00	House	Read third time and sent to Senate HJ-17
03/07/00	Senate	Introduced and read first time SJ-6
03/07/00	Senate	Referred to Committee on Transportation SJ-6
03/22/00	Senate	Recalled from Committee on Transportation SJ-2
03/29/00	Senate	Read second time SJ-18
03/29/00	Senate	Ordered to third reading with notice of amendments SJ-18
04/11/00	Senate	Special order SJ-13
04/25/00	Senate	Debate adjourned SJ-62
04/26/00	Senate	Amended SJ-63
04/26/00	Senate	Read third time and returned to House with amendments SJ-63
05/03/00	House	Debate adjourned until Thursday, May 4, 2000 HJ-37
05/04/00	House	Concurred in Senate amendment and enrolled HJ-88

**05/16/00**            **Ratified R 316**  
**05/17/00**            **Signed By Governor**  
**05/17/00**            **Effective date 05/17/00**  
**06/08/00**            **Copies available**  
**06/08/00**            **Act No. 287**