Session 109 - (1991-1992)

S 0834 General Bill, By Drummond

A Bill to amend Section 50-21-10, Code of Laws of South Carolina, 1976, relating to definitions under the law on the equipment and operation of watercraft, so as to provide definitions for the terms "marine manufacturer", "marine dealer", "certificate of number", and "temporary certificate of number"; to amend Section 50-21-40, relating to the administration of Chapter 21 of Title 50 (Equipment and Operation of Watercraft), so as to delete reference to the Division of Boating of the Wildlife and Marine Resources Department; to amend Section 50-21-150, relating to penalties for certain violations of the law on the equipment and operation of watercraft, provide for a minimum fine in cases where a penalty is not specified and to increase the maximum fine; to amend Section 50-21-320, relating to the provision that certain marine vessels need not be numbered, so as to provide that one of the conditions under which a vessel need not be numbered occurs during the use of a watercraft under authority of a valid temporary certificate of number issued by the Department of Wildlife and Marine Resources or its authorized agent; to amend the 1976 Code by adding Section 50-21-345 so as to authorize the Department to issue temporary certificates of number to permit the use of watercraft while applications for numbers are being processed; to amend Section 50-21-370, relating to term and renewal of certificates under the law on equipment and operation of watercraft, so as to allow the Department to issue a certificate of number for demonstration and testing purposes to a permitted marine dealer or marine manufacturer; to amend Section 50-21-380, relating to transfer of registration upon change of ownership of a motorboat, so as to substitute "watercraft" for "motorboat" and allow the purchaser to operate the watercraft for up to sixty days, on a temporary basis; to amend Section 50-21-390, relating to the transfer, destruction, abandonment, or documentation of a marine vessel, notice, and termination of certificate, so as to delete certain provisions and require the owner to notify the Department in writing within ten days if any registered watercraft is abandoned, junked, or destroyed or is used in the manufacture or remanufacture of another watercraft; to amend Section 50-23-10, as amended, relating to definitions under the law on the titling of watercraft and outboard motors, so as to further provide for the definition of "dealer's permit", including the addition of provisions regarding a dealer who fails to meet minimum requirements each year; to amend Section 50-23-60, as amended, relating to application for certificate of title for a watercraft or outboard motor, so as to delete reference to "division" and replace it with "department", require that the application be made within twenty days of the date of purchase, make reference to marine dealers, require the dealer to mail or deliver the application to the Department within thirty, rather than twenty, days of the sale, provide that a dealer, upon transferring a watercraft or outboard motor to another person, other than by creation of a security interest, within thirty, rather than twenty, days of sale shall execute the assignment and warranty of title by a dealer, and provide that dealers are not required to obtain titles for new vessels and outboard motors held in their inventory for sale until they are sold or exchanged, so long as a proper manufacturer's or importer's certificate is held by the dealer; to amend Section 50-23-170, as amended, relating to serial numbers for watercraft and outboard motors, so as to prohibit being in possession of a particular watercraft or outboard motor under certain conditions; to amend Section 50-23-190, as amended, relating to operation or transfer of watercraft or motor without a certificate, certain unlawful acts regarding watercraft and motors, and failure to deliver or surrender a certificate, so as to prohibit being in possession of certain watercraft or outboard motors under certain conditions; to amend Section 50-23-205, as amended, relating to seizure of certain watercraft, notice of seizure, and disposal of watercraft, so as to add provisions regarding what the Department shall do when the Department determines the owner of any seized watercraft or outboard motor, including provisions for forfeiture; and to amend Section 50-23-280, as amended, relating to penalties under the law on titling of watercraft and outboard motors, so as to provide special penalties for any dealer who violates the provisions of Chapter 23 of Title 50, and provide that any person who utters a fraudulent check to the Department for fees, or is convicted of violating any provision of Chapter 23 of Title 50, may be denied future dealer permits by the Department.

04/02/91	**Senate**	**Introduced and read first time SJ-5**
04/02/91	**Senate**	**Referred to Committee on Fish, Game and Forestry SJ-7**
04/04/91	**Senate**	**Committee report: Favorable Fish, Game and Forestry SJ-14**
04/09/91	**Senate**	**Read second time SJ-27**
04/09/91	**Senate**	**Ordered to third reading with notice of amendments SJ-27**
04/10/91	**Senate**	**Read third time and sent to House SJ-117**
04/11/91	**House**	**Introduced and read first time HJ-32**
04/11/91	**House**	**Referred to Committee on Agriculture, Natural Resources and Environmental Affairs HJ-34**