**A** **BILL**

TO AMEND SECTION 56‑15‑10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TERMS AND THEIR DEFINITIONS CONCERNING THE REGULATION OF MOTOR VEHICLE MANUFACTURERS, DISTRIBUTORS, AND DEALERS, SO AS TO REVISE THE DEFINITION OF THE TERM “DEALER” OR “MOTOR VEHICLE DEALER”.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 56‑15‑10(h) of the 1976 Code is amended to read:

“(h) ‘Dealer’ or ‘motor vehicle dealer’, ~~any~~ a person who sells or attempts to effect the sale of any motor vehicle. These terms do not include:

(1) distributors or wholesalers~~.~~;

(2) receivers, trustees, administrators, executors, guardians or other persons appointed by or acting under the judgment or order of any court~~.~~;

(3) public officers while performing their official duties~~.~~;

(4) persons disposing of motor vehicles acquired for their own use and so used in good faith and not for the purpose of avoiding the provisions of law. Any person who effects or attempts to effect the sale of more than five motor vehicles in any one calendar year is considered a dealer or wholesaler, as appropriate, for purposes of this chapter~~.~~;

(5) finance companies or other financial institutions who sell repossessed motor vehicles and insurance companies who sell motor vehicles they own as an incident to payments made under policies of insurance~~.~~;

(6) companies not in the motor vehicle sales business or estates disposing of motor vehicles titled in the name of the company or estate if sold at public auction at the physical location of the company or estate through an auctioneer or an auction firm licensed under Chapter 6, Title 40; and

(7) auctioneers or auction firms licensed under Chapter 6, Title 40 while under contract with companies or estates to sell at public auction motor vehicles titled in the name of the company or estate at the physical location of the company or estate.”

SECTION 2. This act takes effect upon approval by the Governor.

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