**South Carolina General Assembly**

119th Session, 2011-2012

**H. 4147**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Nanney

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Introduced in the House on April 28, 2011

Currently residing in the House Committee on **Education and Public Works**

Summary: Dealer's license

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

4/28/2011 House Introduced and read first time ([House Journal‑page 5](file:///h:\hj%20archive\2011\04-28-11.docx))

4/28/2011 House Referred to Committee on **Education and Public Works** ([House Journal‑page 5](file:///h:\hj%20archive\2011\04-28-11.docx))

**VERSIONS OF THIS BILL**

[4/28/2011](file:///p:\pprever\2011-12\4147_20110428.docx)

**A** **BILL**

TO AMEND SECTION 56‑15‑310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF DEALER AND WHOLESALER MOTOR VEHICLE LICENSES BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO PROVIDE THAT THE DEPARTMENT MAY ISSUE TEMPORARY DEALER’S LICENSES FOR THE EXHIBITION AND SALE OF “COLLECTOR CARS” AND TO PROVIDE A DEFINITION OF THE TERM “COLLECTOR CARS”.

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

SECTION 1. Section 56‑15‑310 of the 1976 Code is amended to read:

“Section 56‑15‑310. (A) Before engaging in business as a dealer or wholesaler in this State, a person first must make application to the Department of Motor Vehicles for a license. Each license issued expires twelve months from the month of issue (licensing period) and must be displayed prominently at the established place of business. The fee for the license is fifty dollars. The license applies to only one place of business of the applicant and is not transferable to another person or place of business ~~except that~~. However, a licensed dealer may exhibit and sell either motor homes, as defined by Section 56‑15‑10, or collector cars at fairs, recreational or sports shows, vacation shows, and other similar events or shows upon obtaining a temporary dealer’s license in the manner required by this section. No other exhibitions may be allowed, except as may be permitted by this section.

(B) Before exhibiting and selling either motor homes or collector cars at temporary locations as permitted above, the dealer shall first make application to the department for a license. To be eligible for a temporary license, a dealer shall hold a valid dealer’s license issued pursuant to this chapter. Every temporary dealer’s license issued is valid for a period not to exceed ten consecutive days and must be prominently displayed at the temporary place of business. No dealer may purchase more than six temporary licenses in any one licensing period. The fee for each temporary license issued is twenty dollars. A temporary license applies to only one dealer operating in a temporary location and is not transferable to any other dealer or location.

(C) Any person failing to secure a temporary license as required by this section is guilty of a misdemeanor and, upon conviction, must be punished in the same manner as he would be punished for failure to secure his regular dealer’s license.

The provisions of this section may not be construed as allowing the sale of any type of motor vehicles other than either motor homes or collector cars at authorized temporary locations.

~~(B)~~(D) A person who fails to secure either a temporary or a permanent license as required in this chapter is guilty of a misdemeanor and, upon conviction, must be fined:

(1) not less than fifty dollars or more than two hundred dollars or imprisoned for not more than thirty days for the first offense;

(2) not less than two hundred dollars or more than one thousand dollars or imprisoned for not more than six months, or both, for the second offense; and

(3) not less than one thousand dollars or more than ten thousand dollars or imprisoned for not more than two years, or both, for the third or any subsequent offense.

For purposes of this section, the sale of each motor vehicle constitutes a separate offense.

(E) As contained in this section, ‘collector cars’ means vehicles which are at least twenty‑five years old or vehicles which have appreciating value because of their rarity, originality, or limited production.”

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

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