**South Carolina General Assembly**

119th Session, 2011-2012

**H. 4153**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Atwater, Quinn, Spires, Huggins, Patrick, Frye, Ballentine, Bedingfield, Bingham, Crosby, Daning, Harrison, Herbkersman, Owens, Sandifer, Taylor, Toole and Willis

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Introduced in the House on April 28, 2011

Currently residing in the House Committee on **Labor, Commerce and Industry**

Summary: Motorcycle Dealers

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

4/28/2011 House Introduced and read first time ([House Journal‑page 51](file:///h:\hj%20archive\2011\04-28-11.docx))

4/28/2011 House Referred to Committee on **Labor, Commerce and Industry** ([House Journal‑page 51](file:///h:\hj%20archive\2011\04-28-11.docx))

**VERSIONS OF THIS BILL**

[4/28/2011](file:///p:\pprever\2011-12\4153_20110428.docx)

**A** **BILL**

TO AMEND SECTION 56‑16‑140, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF MOTORCYCLE DEALER AND WHOLESALER LICENSES BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO PROVIDE FOR THE ISSUANCE OF A TEMPORARY DEALER’S LICENSE THAT ALLOWS A HOLDER TO SELL MOTORCYCLES AND THEIR RELATED PRODUCTS AT FAIRS, RECREATIONAL OR SPORTS SHOWS, VACATION SHOWS, AND OTHER SIMILAR EVENTS OR SHOWS.

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

SECTION 1. Section 56‑16‑140 of the 1976 Code is amended to read:

“Section 56‑16‑140. (A) Before engaging in business as a motorcycle dealer or wholesaler in this State, every person must first make application to the Department of Motor Vehicles for a license. Every license issued expires twelve months from the date of issue and must be prominently displayed 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 any other person or place of business, except that a licensed dealer may exhibit and sell motorcycles and their related products at fairs, recreational or sports shows, vacation shows, and other similar events or shows upon obtaining a temporary dealer’s license. No other exhibitions are allowed except as permitted by this section. Before exhibiting and selling motorcycles and their related products at temporary locations, the dealer shall first make application to the department for a temporary license. To be eligible for a temporary license, a dealer must hold a valid dealer’s license pursuant to this chapter. A temporary dealer’s license is valid for a period not to exceed ten consecutive days and must be prominently displayed at the temporary place of business. A dealer may not purchase more than six temporary licenses in any licensing period. The fee for a temporary license is twenty dollars. A temporary license applies only to one dealer operating in a temporary location and is not transferable to another dealer or location.

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

(1) not less than fifty dollars nor more than two hundred dollars or imprisoned for not more than thirty days for the first offense;

(2) not less than two hundred dollars nor 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 nor 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 subsection, the sale of each motorcycle constitutes a separate offense.”

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

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