**South Carolina General Assembly**

119th Session, 2011-2012

**A181, R209, H5029**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Thayer, Owens, Simrill, Brantley, Murphy, Gambrell, McCoy, Stavrinakis, Brannon, J.M. Neal, Agnew, Atwater, Daning, Long, Putnam, Erickson, Herbkersman, Patrick, Stringer, Ryan, Hamilton, Bedingfield, Anderson, Forrester, Sellers, Brady, Bowen, G.A. Brown, Clemmons and Toole

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Companion/Similar bill(s): 1376

Introduced in the House on March 15, 2012

Introduced in the Senate on May 1, 2012

Last Amended on April 25, 2012

Passed by the General Assembly on May 16, 2012

Governor's Action: May 25, 2012, Signed

Summary: Off-site displays of automobiles

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

3/15/2012 House Introduced and read first time ([House Journal‑page 13](file:///h:\hj%20archive\2012\03-15-12.docx))

3/15/2012 House Referred to Committee on **Labor, Commerce and Industry** ([House Journal‑page 13](file:///h:\hj%20archive\2012\03-15-12.docx))

3/20/2012 House Member(s) request name added as sponsor: Erickson, Herbkersman, Patrick, Stringer, Ryan, Hamilton

3/21/2012 House Member(s) request name added as sponsor: Bedingfield

3/28/2012 House Member(s) request name added as sponsor: Toole

3/29/2012 House Member(s) request name added as sponsor: Anderson

4/17/2012 House Member(s) request name added as sponsor: Forrester

4/18/2012 House Member(s) request name added as sponsor: Sellers, Brady, Bowen, G.A.Brown

4/19/2012 House Committee report: Favorable with amendment **Labor, Commerce and Industry** ([House Journal‑page 2](file:///h:\hj%20archive\2012\04-19-12.docx))

4/24/2012 Scrivener's error corrected

4/25/2012 House Member(s) request name added as sponsor: Clemmons

4/25/2012 House Debate adjourned ([House Journal‑page 20](file:///h:\hj%20archive\2012\04-25-12.docx))

4/25/2012 House Amended ([House Journal‑page 26](file:///h:\hj%20archive\2012\04-25-12.docx))

4/25/2012 House Read second time ([House Journal‑page 26](file:///h:\hj%20archive\2012\04-25-12.docx))

4/25/2012 House Roll call Yeas‑104 Nays‑0 ([House Journal‑page 27](file:///h:\hj%20archive\2012\04-25-12.docx))

4/26/2012 House Read third time and sent to Senate ([House Journal‑page 33](file:///h:\hj%20archive\2012\04-26-12.docx))

5/1/2012 Senate Introduced and read first time ([Senate Journal‑page 12](file:///h:\sj%20archive\2012\05-01-12.docx))

5/1/2012 Senate Referred to Committee on **Transportation** ([Senate Journal‑page 12](file:///h:\sj%20archive\2012\05-01-12.docx))

5/2/2012 Senate Recalled from Committee on **Transportation** ([Senate Journal‑page 4](file:///h:\sj%20archive\2012\05-02-12.docx))

5/3/2012 Scrivener's error corrected

5/15/2012 Senate Read second time ([Senate Journal‑page 33](file:///h:\sj%20archive\2012\05-15-12.docx))

5/15/2012 Senate Roll call Ayes‑33 Nays‑1 ([Senate Journal‑page 33](file:///h:\sj%20archive\2012\05-15-12.docx))

5/16/2012 Senate Read third time and enrolled ([Senate Journal‑page 12](file:///h:\sj%20archive\2012\05-16-12.docx))

5/23/2012 Ratified R 209

5/25/2012 Signed By Governor

5/31/2012 Effective date 05/25/12

6/1/2012 Act No. 181

**VERSIONS OF THIS BILL**

[3/15/2012](file:///p:\pprever\2011-12\5029_20120315.docx)

[4/19/2012](file:///p:\pprever\2011-12\5029_20120419.docx)

[4/24/2012](file:///p:\pprever\2011-12\5029_20120424.docx)

[4/25/2012](file:///p:\pprever\2011-12\5029_20120425.docx)

[4/26/2012](file:///p:\pprever\2011-12\5029_20120426.docx)

[5/2/2012](file:///p:\pprever\2011-12\5029_20120502.docx)

[5/3/2012](file:///p:\pprever\2011-12\5029_20120503.docx)

(A181, R209, H5029)

**AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56‑15‑315 SO AS TO PROVIDE FOR OFF‑SITE DISPLAYS OF AUTOMOBILES AND CERTAIN TRUCKS UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS PROVISION.**

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

**Off‑site displays of automobiles or trucks**

SECTION 1. Article 3, Chapter 15, Title 56 of the 1976 Code is amended by adding:

“Section 56‑15‑315. (A) Notwithstanding another provision of law, off‑site displays of automobiles or trucks are prohibited except as provided in this section. A licensed South Carolina automobile dealer or dealer of trucks may display not more than ten automobiles or trucks per licensed dealership off‑site only at nonselling temporary events lasting no more than ten days hosted by a South Carolina based: charitable organization as defined in the South Carolina Solicitation of Charitable Funds Act for fundraising purposes; school fundraising event; church fundraising event; town fair, town festival; or any other similar festival or event.

(B) Used automobile or truck dealers may display used automobiles or trucks off‑site as provided in this section in the county in which their dealership is located.

(C) Displays may be conducted only by South Carolina licensed dealers. Any automobile or truck displayed must be owned by the dealer. Any person or automobile or truck dealer who violates these provisions is subject to a five hundred dollar fine.

(D) Off‑site displays are for display purposes only. Sales or attempts to sell as defined in Section 56‑15‑10(L), or both, are not permitted off‑site. An automobile or truck dealer who sells or attempts to affect the off‑site sale of any automobile or truck is in violation of this section and is subject to a two thousand dollar fine. An agent of an automobile or truck dealer who sells or attempts to affect the off‑site sale of an automobile or truck is subject to a five hundred dollar fine.

(E) A motor vehicle manufacturer cannot require a franchised automobile or truck dealer to display automobiles or trucks off‑site.

(F) Nothing in this section shall prohibit an automobile or truck dealer from participating in one nonselling statewide motor vehicle show in South Carolina per year, or a manufacturer, individual automobile owner or truck owner from displaying their vehicles.

(G) Nothing in this section shall be construed to prevent a licensed dealer from providing vehicles for demonstration or test driving purposes specified in Section 56‑3‑2320.

(H) The department of Motor Vehicles shall enforce the provisions contained in this section.”

**Time effective**

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

Ratified the 23rd day of May, 2012.

Approved the 25th day of May, 2012.

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