~~Indicates Matter Stricken~~

Indicates New Matter

AMENDED

February 26, 2014

**H. 3796**

Introduced by Rep. Pitts

S. Printed 2/26/14--H.

Read the first time March 11, 2013.

**A** **BILL**

TO AMEND SECTION 6‑1‑330, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FEES IMPOSED BY POLITICAL SUBDIVISIONS OF THIS STATE, SO AS TO PROVIDE THAT WHEN A GOVERNING BODY OF A POLITICAL SUBDIVISION IMPOSES A SCHEDULE OF ROAD FEES ON MOTOR VEHICLES REGISTERED IN THE COUNTY BASED ON VEHICLE CLASS, THE LOWEST FEE IN THE SCHEDULE MUST APPLY TO ALL MOTOR VEHICLES SUBJECT TO THE STATE BIENNIAL REGISTRATION FEE FOR PRIVATE PASSENGER MOTOR VEHICLES IMPOSED PURSUANT TO SECTION 56‑3‑620; AND TO AMEND SECTION 56‑3‑630, AS AMENDED, RELATING TO THE DEFINITION OF PRIVATE PASSENGER MOTOR VEHICLES FOR PURPOSES OF MOTOR VEHICLE LICENSING AND REGISTRATION BY THE SOUTH CAROLINA DEPARTMENT OF MOTOR VEHICLES, SO AS TO PROVIDE THAT A TRUCK INCLUDED IN THE DEFINITION OF PRIVATE PASSENGER MOTOR VEHICLE, WHICH IS NOT USED IN A TRADE OR BUSINESS, MAY BE REGISTERED UPON PAYMENT OF THE BIENNIAL REGISTRATION FEES PROVIDED PURSUANT TO SECTION 56‑3‑620.

Amend Title To Conform

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

SECTION 1. Section 6‑1‑330 of the 1976 Code, as last amended by Act 75 of 2009, is further amended by adding a subsection at the end to read:

“(E) If a local governing body imposes a schedule of road or other fees, however described, on motor vehicles registered in its jurisdiction and that schedule imposes fees that vary with respect to classes of vehicles, then the lowest fee in that schedule of fees imposed by the local governing body must apply to all vehicles registered by the South Carolina Department of Motor Vehicles for the state biennial registration fees provided pursuant to Section 56‑3‑620.”

SECTION 2. Section 56‑3‑630 of the 1976 Code, as last amended by Act 398 of 2006, is further amended to read:

“Section 56‑3‑630. (A) The Department of Motor Vehicles shall classify as a private passenger motor vehicle every motor vehicle which is designed, used, and maintained for the transportation of ten or fewer persons and trucks having an empty weight of nine thousand pounds or less and a gross weight of eleven thousand pounds or less, except a motorcycle, motorcycle three‑wheel vehicle, or motor‑driven cycle. The department shall classify a three‑wheel vehicle by the manufacturers statement of origin for the vehicles initial registration. For subsequent registration, the department shall classify the three‑wheel vehicle by its title document. ~~This section does not relieve or negate any applicable fees required under Section 56‑3‑660~~

(B)(1) Trucks described as private passenger motor vehicles pursuant to subsection (A) of this section owned or leased by an individual exclusively for personal use are subject to the state biennial registration fees provided pursuant to Section 56‑3‑620. For purposes of this subsection, ‘exclusively for personal use’ means a truck for which none of the expenses of acquisition or operation are eligible to be deducted from income in computing any federal income tax liability of the individual who registers the vehicle.

(2) Before a truck may be registered for the fee allowed pursuant to item (1) of this subsection, the applicant must execute an affidavit signed under penalty for perjury certifying that the truck qualifies for the registration fee allowed pursuant to item (1) of this subsection. The affidavit must be in a form prescribed by the South Carolina Department of Motor Vehicles that is furnished to all persons applying to register a truck qualifying by weight as a ‘private passenger’ motor vehicle. If a properly executed affidavit is not submitted by the applicant, the fee to register the truck is as provided pursuant to Section 56‑3‑660.

(C) A truck not described in subsections (A) or (B) of this section is subject to the state biennial registration fees provided pursuant to Section 56‑3‑660.”

SECTION 3. This act takes effect July 1, 2013, and applies for motor vehicle registration years beginning after June 2015.

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