**South Carolina General Assembly**

121st Session, 2015-2016

**H. 3376**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. J.E. Smith, Rutherford and Ballentine

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Companion/Similar bill(s): 390

Introduced in the House on January 21, 2015

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

Summary: Off-site displays of automobiles and trucks

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/21/2015 House Introduced and read first time ([House Journal‑page 19](file:///h:\HJ%20Archive\2015\01-21-15.docx))

1/21/2015 House Referred to Committee on **Labor, Commerce and Industry** ([House Journal‑page 19](file:///h:\HJ%20Archive\2015\01-21-15.docx))

2/4/2015 House Member(s) request name removed as sponsor: Huggins, Atwater

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**VERSIONS OF THIS BILL**

[1/21/2015](file:///p:\pprever\2015-16\3376_20150121.docx)

**A** **BILL**

TO AMEND SECTION 56‑15‑315, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO OFF‑SITE DISPLAYS OF AUTOMOBILES OR TRUCKS, SO AS TO PROVIDE THAT A LICENSED AUTOMOBILE DEALER OR TRUCK DEALER MAY DISPLAY AUTOMOBILES OR TRUCKS AT AIRPORTS FOR ADVERTISING PURPOSES UNDER CERTAIN CIRCUMSTANCES.

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

SECTION 1. Section 56‑15‑315 of the 1976 Code, as added by Act 181 of 2012, is amended to read:

“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.

(1) 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.

(2) A licensed South Carolina automobile dealer or dealer of trucks may display automobiles or trucks off‑site at nonselling display events at airports for advertising purposes provided:

(a) the dealer obtains written authorization from the director of the airport that includes the location and manner of the display as well as the number of automobiles or trucks to be on display;

(b) except for the initial set up and final removal of the display, no licensed South Carolina dealer or dealer of trucks and no employee of a dealer is present at a temporary display event at any time; and

(c) the dealership name as stated on its license, the address of its established place of business, and contact information are placed on or near the automobiles or trucks on display.

(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)~~(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~~ Department of Motor Vehicles shall enforce the provisions contained in this section.”

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

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