**A** **BILL**

TO AMEND SECTION 56-15-45(D) OF THE 1976 CODE, RELATING TO THE PROHIBITION ON MOTOR VEHICLE MANUFACTURERS OR FRANCHISORS SELLING MOTOR VEHICLES TO CONSUMERS IN THIS STATE, TO PROVIDE THAT AN ELECTRIC VEHICLE MANUFACTURER MAY SELL, DIRECTLY OR INDIRECTLY, ALL-ELECTRIC MOTOR VEHICLES THAT IT MANUFACTURES TO CONSUMERS IN THIS STATE, AND TO DEFINE NECESSARY TERMS.

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

SECTION 1. Section 56-15-45(D) of the 1976 Code is amended to read:

“(D)(1) Except as may be provided otherwise in subsections (A) and (B) of this section and item (2) in this subsection, a manufacturer or franchisor may not sell, directly or indirectly, a motor vehicle to a consumer in this State, except through a new motor vehicle dealer holding a franchise for the line make that includes the motor vehicle. This subsection does not apply to manufacturer or franchisor sales of new motor vehicles to the federal government, nor to manufacturer or franchisor leases of new motor vehicles to employees of the manufacturer or franchisor. Nothing in this subsection prohibits a manufacturer or franchisor or any parent, affiliate, wholly or partially owned subsidiary, officer, or representative of a manufacturer or franchisor operating as a motor vehicle lessor from selling a motor vehicle to the lessee at the conclusion of a lease agreement between the two parties. Nothing in this subsection prevents a manufacturer or franchisor from establishing an e-commerce website for the purpose of referring prospective customers to motor vehicle dealers holding a franchise for the same line make of the manufacturer or franchisor.

(2)(a) For the purposes of this item, an ‘electric vehicle manufacturer’ means a manufacturer of only all-electric motor vehicles.

(b) An electric vehicle manufacturer or its franchisor are exempt from the provisions contained in item (1) and may sell, directly or indirectly, all-electric motor vehicles that it manufactures to consumers in this State.”

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

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