

Session 125 - (2023-2024)

S*0549 (Rat #0072, Act #0051 of 2023) General Bill, By Grooms

Similar (H 3518)

Summary: Auto Dealers

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-395, RELATING TO THE DRIVER'S LICENSE REINSTATEMENT FEE PAYMENT PROGRAM, SO AS TO PROVIDE THE DRIVERS' LICENSES ISSUED UNDER THIS PROGRAM ARE VALID FOR AN ADDITIONAL SIX MONTHS, TO REVISE THE AMOUNT OF REINSTATEMENT FEES OWED BY PERSONS TO BECOME ELIGIBLE TO OBTAIN THESE DRIVERS' LICENSES, TO REVISE THE DISTRIBUTION OF THE ADMINISTRATIVE FEES COLLECTED, TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY PROVIDE PERSONS IN THE PROGRAM A FEE SCHEDULE OF THE AMOUNTS OWED AND THE ABILITY TO MAKE ONLINE PAYMENTS, TO REVISE THE TYPES OF DRIVER'S LICENSE SUSPENSIONS THAT ARE COVERED BY THIS SECTION, AND TO REVISE THE FREQUENCY THAT PERSONS MAY PARTICIPATE IN THE PROGRAM AND THE CONDITIONS FOR FUTURE PARTICIPATION; BY AMENDING SECTION 56-1-396, RELATING TO THE DRIVER'S LICENSE SUSPENSION AMNESTY PERIOD, SO AS TO LIMIT THE TYPES OF QUALIFYING SUSPENSIONS; BY AMENDING SECTION 56-10-240, RELATING TO THE REQUIREMENT THAT UPON LOSS OF INSURANCE, INSURED MUST OBTAIN NEW INSURANCE OR SURRENDER REGISTRATIONS AND PLATES, WRITTEN NOTICES BY INSURER, SUSPENSION OF REGISTRATIONS AND PLATES, APPEALS OF SUSPENSIONS, ENFORCEMENT, AND PENALTIES, SO AS TO REVISE THE PERIOD OF TIME VEHICLE OWNERS MUST SURRENDER MOTOR VEHICLE LICENSE PLATES AND REGISTRATION CERTIFICATES FOR CERTAIN UNINSURED MOTOR VEHICLES, TO DELETE THE PROVISION THAT GIVES THE DEPARTMENT OF MOTOR VEHICLES DISCRETION TO AUTHORIZE INSURERS TO UTILIZE ALTERNATE METHODS OF PROVIDING CERTAIN NOTICES TO THE DEPARTMENT, TO DELETE THE PROVISION THAT ALLOWS CERTAIN PERSONS TO APPEAL CERTAIN SUSPENSIONS TO THE DEPARTMENT OF INSURANCE FOR FAILURE TO MEET THE STATE'S FINANCIAL RESPONSIBILITY REQUIREMENTS IN ERROR, AND TO ALLOW THESE PERSONS TO PROVIDE CERTAIN DOCUMENTS TO SHOW THE SUSPENSION WAS ISSUED IN ERROR; BY AMENDING SECTION 56-10-245, RELATING TO THE PER DIEM FINES FOR LAPSE IN REQUIRED MOTOR VEHICLE INSURANCE COVERAGE, SO AS TO PROVIDE THE FINES CONTAINED IN THE SECTION MAY NOT EXCEED TWO HUNDRED DOLLARS PER VEHICLE FOR A FIRST OFFENSE; BY AMENDING ARTICLE 5 OF CHAPTER 10, TITLE 56, RELATING TO THE ESTABLISHMENT OF THE UNINSURED MOTORIST FUND, SO AS TO REVISE THE PROVISIONS OF THIS ARTICLE TO REGULATE THE OPERATION OF UNINSURED MOTOR VEHICLES, TO DELETE PROVISIONS RELATING TO THE ESTABLISHMENT AND COLLECTION OF UNINSURED MOTOR VEHICLE FEES, TO MAKE TECHNICAL CHANGES, TO REVISE THE AMOUNT OF THE MOTOR VEHICLE REINSTATEMENT FEE AND PROVIDE IT SHALL BE INCREASED ANNUALLY, TO PROVIDE SUSPENDED LICENSES, REGISTRATION CERTIFICATES, LICENSE PLATES, AND DECALS MAY BE RETURNED TO THE DEPARTMENT OF MOTOR VEHICLES BY ELECTRONIC MEANS OR IN PERSON, AND TO DELETE THE PROVISIONS THAT REQUIRE THE DEPARTMENT OF MOTOR VEHICLES TO COLLECT STATISTICS REGARDING VARIOUS MOTOR VEHICLE REGISTRATION, INSURANCE, AND UNINSURED MOTORIST FUND ISSUES; BY AMENDING SECTION 56-9-20, RELATING TO DEFINITIONS FOR THE MOTOR VEHICLE FINANCIAL RESPONSIBILITY ACT, SO AS TO REVISE REFERENCES IN THE DEFINITIONS OF "INSURED MOTOR VEHICLE" AND "UNINSURED MOTOR VEHICLE"; BY AMENDING SECTION 56-3-210, RELATING TO THE TIME PERIOD FOR PROCURING MOTOR VEHICLE REGISTRATIONS AND LICENSES, TEMPORARY LICENSE PLATES, AND THE TRANSFER OF LICENSE PLATES, SO AS TO REVISE THE REQUIREMENT FOR TEMPORARY LICENSE PLATES AND WHO MAY DISTRIBUTE TEMPORARY LICENSE PLATES; BY ADDING SECTION 56-3-211 SO AS TO PROVIDE FOR THE ISSUANCE OF TEMPORARY LICENSE PLATES TO CERTAIN MOTOR VEHICLES AND FARM TRUCKS; BY ADDING SECTION 56-3-212 SO AS TO PROVIDE FOR THE ISSUANCE OF TEMPORARY LICENSE PLATES TO CERTAIN MOTOR VEHICLES; BY ADDING SECTION 56-3-213 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE SPECIAL PERMITS TO OPERATE CERTAIN MOTOR VEHICLES; BY AMENDING SECTION 56-3-2340, RELATING TO LICENSED MOTOR VEHICLE DEALERS ISSUING FIRST-TIME REGISTRATIONS AND LICENSE PLATES FROM DEALERSHIPS, CERTIFICATIONS OF THIRD-PARTY PROVIDERS, AND FEES, SO AS TO REVISE THE ISSUANCE OF TEMPORARY MOTOR VEHICLE REGISTRATIONS AND LICENSE PLATES; BY ADDING SECTION 56-3-214 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES SHALL IMPLEMENT A QUALITY ASSURANCE PROGRAM TO ENSURE THE INTEGRITY OF THE ELECTRONIC REGISTRATION AND TITLING PROGRAM; BY AMENDING SECTION 8-21-15, RELATING TO NO FEES FOR PERFORMING DUTIES, RESPONSIBILITIES, OR FUNCTIONS OF THE AGENCY UNLESS AUTHORIZED BY STATUTE AND REGULATION, SO AS TO PROVIDE THAT THE AGENCY MAY COLLECT VENDOR

FEES, CONVENIENCE FEES, TRANSACTION FEES, OR SIMILAR FEES WHEN RECEIVING PAYMENTS BY ANY PAYMENT METHOD OTHER THAN CASH; BY AMENDING SECTION 56-14-30, RELATING TO LICENSES FOR RECREATIONAL VEHICLE DEALERS, EXHIBITION LICENSES, FEES, AND PENALTIES, SO AS TO REVISE THE EXPIRATION DATE OF LICENSES AND FEES, TO REQUIRE THE DEPARTMENT OF MOTOR VEHICLES PROVIDE CERTAIN INFORMATION TO LICENSE APPLICANTS NEEDED IN AUDITS OR REVIEWS, AND TO PROVIDE FOR DEPARTMENTAL INSPECTIONS AND COMPLAINTS ARISING FROM ALLEGED VIOLATIONS, TO REVISE PENALTIES FOR THE UNAUTHORIZED SALE OF RECREATIONAL VEHICLES, AND TO PROVIDE FOR THE ENFORCEMENT OF THIS SECTION AND DISBURSEMENT OF FINES; BY AMENDING SECTION 56-14-40, RELATING TO APPLICATIONS FOR RECREATIONAL VEHICLE DEALER LICENSES, BONDS, AND THE DUTY TO NOTIFY THE DEPARTMENT OF MOTOR VEHICLES WHERE INFORMATION GIVEN BY APPLICANTS CHANGES OR LICENSEES CEASE OPERATIONS, SO AS TO REVISE THE BOND AMOUNTS REQUIRED, TO PROVIDE FOR THE PAYMENT OF BACK TAXES OR FEES, AND TO PROVIDE FOR THE CONTINUANCE OF THE BUSINESS IN THE EVENT OF LICENSEES' DEATHS; BY AMENDING SECTION 56-14-50, RELATING TO REQUIREMENTS REGARDING DEALERS' MAINTENANCE OF BONA FIDE PLACES OF BUSINESS AND PERMANENT SIGNS, SO AS TO PROVIDE FOR BUSINESS OPERATIONS ON PROPERTY ADJACENT TO A LICENSEE'S BONA FIDE ESTABLISHED PLACE OF BUSINESS; BY AMENDING SECTION 56-14-70, RELATING TO DENIALS, SUSPENSIONS, OR REVOCATIONS OF DEALER LICENSES, SO AS TO REVISE THE REASONS THAT THE DEPARTMENT OF MOTOR VEHICLES MAY DENY, SUSPEND, OR REVOKE A LICENSE; BY AMENDING SECTION 56-15-310, RELATING TO DEALER AND WHOLESALER LICENSES, TERMS OF LICENSES, FEES, SCOPE OF LICENSES, AND PENALTIES FOR VIOLATIONS, SO AS TO INCREASE THE TIME PERIOD FOR A VALID LICENSE TO THIRTY-SIX MONTHS, TO INCREASE THE LICENSE FEE, TO REVISE THE LOCATIONS WHERE A LICENSE MAY OPERATE, TO ELIMINATE THE TEMPORARY LICENSE, TO PROVIDE FOR A CURE PERIOD FOR CERTAIN COMPLAINTS FROM CONSUMERS, TO INCREASE THE PENALTY, TO ALLOW LAW ENFORCEMENT AGENCIES TO ENFORCE THIS PROVISION, AND TO PROVIDE FOR THE DISTRIBUTION OF FINES; BY AMENDING SECTION 56-15-320, RELATING TO APPLICATIONS FOR LICENSES, BONDS, AND DUTIES UPON CHANGE OF CIRCUMSTANCES AND TERMINATION OF BUSINESSES RELATING TO WHOLESALERS AND DEALERS, SO AS TO PROVIDE THAT NEW BONDS OR CONTINUATION CERTIFICATES MUST BE PROVIDED TO THE DEPARTMENT OF MOTOR VEHICLES EVERY TWELVE MONTHS DURING A LICENSE PERIOD, TO PROVIDE WHEN DEALERS' LICENSES EXPIRE, TO PROVIDE FOR THE RECOVERY OF BACK TAXES AND FEES, TO INCREASE THE AGGREGATE LIABILITY OF SURETIES FOR CLAIMS, AND TO PROVIDE FOR THE CONTINUATION OF BUSINESSES IN THE EVENT OF LICENSEES' DEATHS; BY AMENDING SECTION 56-15-330, RELATING TO FACILITIES REQUIRED FOR ISSUANCE OF DEALERS' LICENSES, SO AS TO INCLUDE WHOLESALERS, AND TO PROVIDE FOR BUSINESS OPERATIONS ON PROPERTY ADJACENT TO OR WITHIN SIGHT OF BONA FIDE ESTABLISHED PLACES OF BUSINESS; BY AMENDING SECTION 56-15-350, RELATING TO DENIALS, SUSPENSIONS, OR REVOCATIONS OF LICENSES, GROUNDS, AND PROCEDURES, SO AS TO REVISE THE GROUNDS FOR DENIALS, SUSPENSIONS, OR REVOCATIONS OF A LICENSE; BY ADDING CHAPTER 37 TO TITLE 56 SO AS TO ESTABLISH THE MOTOR VEHICLE DEALER PERFORMANCE EVALUATION SYSTEM TO EVALUATE THE PERFORMANCE RECORD OF DEALERS LICENSED UNDER THIS TITLE, TO CREATE A DEALER REVIEW BOARD, AND PROVIDE A PROCESS TO SUSPEND OR REVOKE DEALERS' LICENSES FOR CERTAIN VIOLATIONS; BY AMENDING SECTION 56-16-140, RELATING TO LICENSES FOR MOTORCYCLE DEALERS OR WHOLESALERS, EXHIBITION LICENSES, FEES, AND PENALTIES FOR NONCOMPLIANCE, SO AS TO PROVIDE THE SECTION ALSO APPLIES TO MOTORCYCLE WHOLESALERS, TO PROVIDE THE LICENSES LAST FOR THIRTY-SIX MONTHS, TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MUST PROVIDE CERTAIN INFORMATION TO LICENSE APPLICANTS, TO PROVIDE COMPLAINT PROCEDURES, TO REVISE THE PENALTIES FOR DEALERS SELLING MOTORCYCLES WITHOUT LICENSES, AND TO PROVIDE FOR THE DISTRIBUTION OF FINES; BY AMENDING SECTION 56-16-150, RELATING TO APPLICATIONS FOR MOTORCYCLE DEALERS' OR WHOLESALERS' LICENSES, BONDS, AND THE DUTY TO NOTIFY THE DEPARTMENT OF MOTOR VEHICLES WHERE INFORMATION GIVEN BY APPLICANTS CHANGE OR LICENSEES CEASE OPERATIONS, SO AS TO PROVIDE THE PROVISION APPLIES TO MOTORCYCLE WHOLESALERS AND DEALERS, TO REVISE THE BOND REQUIREMENTS, TO PROVIDE FOR THE RECOVERY OF BACK TAXES AND FEES, AND TO PROVIDE FOR THE CONTINUATION OF BUSINESS IN THE EVENT OF LICENSEES' DEATHS; BY AMENDING SECTION 56-16-160, RELATING TO REQUIREMENTS REGARDING MOTORCYCLE DEALERS' MAINTENANCE OF BONA FIDE ESTABLISHED PLACES OF BUSINESS, SIZE OF BUSINESSES, AND PERMANENT SIGNS, SO AS TO PROVIDE THAT DEALERS MAY CONDUCT BUSINESS ON PROPERTY ADJACENT TO BONA FIDE ESTABLISHED PLACES OF BUSINESS UNDER CERTAIN CIRCUMSTANCES; BY AMENDING SECTION 56-16-180, RELATING TO DENIALS, SUSPENSIONS, OR REVOCATIONS OF CERTAIN

LICENSES, SO AS TO REVISE THE REASONS THE DEPARTMENT OF MOTOR VEHICLES MAY DENY, SUSPEND, OR REVOKE MOTORCYCLE DEALERS' LICENSES; BY AMENDING SECTION 56-19-370, RELATING TO PROCEDURES FOR VOLUNTARY TRANSFERS AND DEALERS PURCHASING VEHICLES FOR RESALE, SO AS TO PROVIDE PROCEDURES FOR DEALERS TO TITLE AND REGISTER CERTAIN VEHICLES, AND PENALTIES FOR VIOLATING THESE PROVISIONS; TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES SHALL ENSURE THAT NO ONE IS REGISTERED AS AN UNINSURED MOTORIST; TO REPEAL SECTIONS 56-3-180, 56-3-215, ARTICLE 29 OF CHAPTER 3, TITLE 56, AND ARTICLE 30 OF CHAPTER 3, TITLE 56, RELATING TO THE ISSUANCE OF CERTAIN SPECIAL PERMITS, TEMPORARY PERMITS, TEMPORARY LICENSE PLATES, AND REGISTRATION CARDS BY THE DEPARTMENT OF MOTOR VEHICLES; TO AMEND SECTION 56-23-60, RELATING TO STANDARDS FOR OPERATING DRIVER TRAINING SCHOOLS, SO AS TO DELETE THE TERM "DEFENSIVE DRIVING COURSE" AND REPLACE IT WITH THE TERM "DRIVER TRAINING COURSE"; BY ADDING SECTION 56-23-105 SO AS TO DEFINE THE TERM "CLASSROOM TRAINING"; TO AMEND SECTION 56-1-20, RELATING TO REQUIRING CERTAIN PERSONS TO POSSESS DRIVERS' LICENSES TO DRIVE MOTOR VEHICLES, SO AS TO PROVIDE CERTAIN DRIVERS POSSESSING OUT-OF-STATE DRIVERS' LICENSES MUST SURRENDER THEM WITHIN FORTY-FIVE DAYS OF BECOMING RESIDENTS BEFORE BEING ISSUED SOUTH CAROLINA DRIVERS' LICENSES; TO AMEND SECTION 56-1-220, RELATING TO VISION SCREENING TESTS REQUIRED FOR RENEWAL OF DRIVERS' LICENSES, SO AS TO PROVIDE EXEMPTIONS FOR CERTAIN ACTIVE-DUTY MEMBERS OF THE ARMED FORCES; AND TO AMEND SECTION 56-23-40, RELATING TO DRIVER TRAINING SCHOOL LICENSE FEES, SO AS TO INCREASE FEES AND REVISE THE LICENSES' EXPIRATION DATE. - RATIFIED TITLE

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| 02/21/23 | Senate | Introduced and read first time (Senate Journal-page 3) |
| 02/21/23 | Senate | Referred to Committee on Transportation (Senate Journal-page 3) |
| 03/02/23 | | Scrivener's error corrected |
| 03/09/23 | Senate | Committee report: Favorable with amendment Transportation (Senate Journal-page 5) |
| 03/13/23 | | Scrivener's error corrected |
| 03/29/23 | Senate | Committee Amendment Adopted (Senate Journal-page 30) |
| 03/29/23 | Senate | Amended (Senate Journal-page 30) |
| 03/29/23 | Senate | Read second time (Senate Journal-page 30) |
| 03/30/23 | Senate | Read third time and sent to House (Senate Journal-page 21) |
| 03/30/23 | Senate | Roll call Ayes-42 Nays-0 (Senate Journal-page 21) |
| 03/30/23 | | Scrivener's error corrected |
| 04/04/23 | House | Introduced and read first time (House Journal-page 11) |
| 04/04/23 | House | Referred to Committee on Education and Public Works (House Journal-page 11) |
| 05/02/23 | House | Committee report: Favorable with amendment Education and Public Works (House Journal-page 60) |
| 05/03/23 | | Scrivener's error corrected |
| 05/03/23 | House | Debate adjourned (House Journal-page 73) |
| 05/04/23 | House | Amended (House Journal-page 57) |
| 05/04/23 | House | Read second time (House Journal-page 57) |
| 05/04/23 | House | Roll call Yeas-109 Nays-0 (House Journal-page 66) |
| 05/04/23 | House | Unanimous consent for third reading on next legislative day (House Journal-page 68) |
| 05/05/23 | House | Read third time and returned to Senate with amendments (House Journal-page 2) |
| 05/10/23 | Senate | Concurred in House amendment and enrolled (Senate Journal-page 103) |
| 05/10/23 | Senate | Roll call Ayes-45 Nays-0 (Senate Journal-page 103) |
| 05/16/23 | | Scrivener's error corrected |
| 05/17/23 | | Ratified R 72 |
| 05/18/23 | | Signed By Governor |
| 05/30/23 | | Effective date See Act for Effective Date |
| 05/30/23 | | Act No. 51 |