**South Carolina General Assembly**

118th Session, 2009-2010

**S. 1059**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Leventis

Document Path: l:\council\bills\swb\6006cm10.docx

Companion/Similar bill(s): 608, 4483

Introduced in the Senate on January 19, 2010

Currently residing in the Senate Committee on **Transportation**

Summary: Dealer license plates

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/19/2010 Senate Introduced and read first time [SJ](file:///h:\SJ%20Archive\2010\01-19-10.docx)‑6

1/19/2010 Senate Referred to Committee on **Transportation** [SJ](file:///h:\SJ%20Archive\2010\01-19-10.docx)‑6

**VERSIONS OF THIS BILL**

[1/19/2010](file:///p:\pprever\2009-10\1059_20100119.docx)

**A** **BILL**

TO AMEND SECTION 56‑3‑2320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF MOTOR VEHICLE DEALER LICENSE PLATES, SO AS TO REDUCE THE NUMBER OF MOTOR VEHICLE SALES A DEALER MUST MAKE IN ORDER TO BE ISSUED A DEALER LICENSE PLATE.

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

SECTION 1. Section 56‑3‑2320 of the 1976 Code is amended to read:

“Section 56‑3‑2320. (A) Upon application being made and the required fee being paid to the Department of Motor Vehicles, the department may issue dealer license plates to a licensed motor vehicle dealer. The license plates, notwithstanding other provisions of this chapter to the contrary, may be used exclusively on motor vehicles owned by, assigned, or loaned for test driving purposes to the dealer when operated on the highways of this State by the dealer, its corporate officers, its employees, or a prospective purchaser of the motor vehicle. The use by a prospective purchaser is limited to seven days, and the dealer shall provide the prospective purchaser with a dated demonstration certificate. The certificate must be approved by the department. Dealer plates must not be used to operate wreckers or service vehicles in use by the dealer nor to operate vehicles owned by the dealer that are leased or rented by the public. No dealer plates may be issued by the department unless the dealer furnishes proof in a form acceptable to the department that ~~he~~ the dealer has a retail business license as required by Chapter 36 ~~of~~,Title 12 and has made at least ~~twenty sales~~ one sale of a motor ~~vehicles~~ vehicle in the twelve months preceding his application for a dealer plate. The sales requirement may be waived by the department if the dealer has been licensed for less than one year. For purposes of this section, the transfer of ownership of a motor vehicle between the same individual or corporation more than one time is considered as only one sale. Multiple transfer of motor vehicles between licensed dealers for the purpose of meeting eligibility requirements for motor vehicle dealer plates is prohibited. Pursuant to this section:

~~A~~ (1) a dealer may be issued two plates for the first ~~twenty~~ two vehicles sold during the preceding year and one additional plate for each fifteen vehicles sold beyond the initial ~~twenty~~ two during the preceding year. For good cause shown, the department in its discretion may issue extra plates. If the dealer has been licensed less than one year, the department shall issue a number of license plates based on an estimated number of sales for the coming year. The department may increase or decrease the number of plates issued based on actual sales made~~.~~ ; and

~~The~~ (2) the cost of each dealer plate issued is twenty dollars.

(B) Upon application to the department, a public or private school, college, or university, or an economic development entity created or sanctioned by the county where the entity is located, may be issued a license plate to be used on vehicles loaned or rented to the school, college, university, or economic development entity by a licensed motor vehicle dealer. The plate must be a personalized plate designed by the department. The cost of each plate issued is two hundred dollars, of which one hundred sixty dollars must be remitted by the department to the county in which the school, college, university, or economic development entity is located. Each plate is valid for two years, and there is no limit on the number of plates which may be issued, except in the case of an economic development entity where only one plate per entity is allowed.

(C) A dealer license plate is allowed on a motor vehicle which the dealer lends to a public or private school for use in a driver education program. A plate used for this purpose may be obtained without fee and without regard to the limit on plates issued pursuant to this section. When the motor vehicle is no longer used for driver education, the dealer shall surrender the plate to the department.

(D) Notwithstanding the provisions of this section, a dealer exclusively selling heavy duty trucks at retail is eligible to obtain license plates for exclusive use on the heavy duty trucks regardless of the number of trucks sold by him during the preceding required number of months. These license plates for trucks must be noted with a distinct and separate identification and used only on heavy duty trucks. For purposes of this section, heavy duty trucks include trucks having a gross vehicle weight of sixteen thousand pounds or greater.

~~(B)~~ (E) For purposes of this section, the testing or demonstration of a heavy duty truck with a GVW of 16,000 pounds or over as defined in Section 56‑3‑20(10) includes permitting a prospective buyer to use the truck for carrying merchandise or cargo for not more than three days upon the dealer providing the buyer with a special demonstration certificate for this purpose. The form and content of the demonstration certificate must be as prescribed by the department which also shall provide certificates to dealers upon their request. The original certificate must be kept by the buyer in the cab of the truck during the three‑day demonstration period, and the dealer shall retain a copy of the certificate and mail a copy of the certificate to the department within twenty‑four hours after it is issued to the buyer.”

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

‑‑‑‑XX‑‑‑‑