AMENDED

May 31, 2012

**S. 1417**

Introduced by Senator Land

S. Printed 5/31/12--H. [SEC 6/1/12 3:07 PM]

Read the first time April 26, 2012.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 108 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE FOR THE ISSUANCE OF “SOUTH CAROLINA TENNIS PATRONS FOUNDATION” SPECIAL LICENSE PLATES.

Amend Title To Conform

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

SECTION 1. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“Article 108

South Carolina Tennis Patrons Foundation Special License Plates

Section 56‑3‑10810. (A) The Department of Motor Vehicles may issue ‘Play Tennis’ special license plates to owners of private passenger carrying motor vehicles, as defined in Section 56‑3‑630, or motorcycles registered in their names which shall have imprinted on them an emblem, seal, symbol, or wording relating to the South Carolina Tennis Patrons Foundation. The South Carolina Tennis Patrons Foundation shall submit to the department for its approval the emblem, seal, symbol, or wording it desires to be used for this special license plate. The fee for this special license plate is thirty dollars every two years in addition to the regular motor vehicle registration fee set forth in Article 5, Chapter 3, Title 56. This special license plate must be of the same size and general design of regular motor vehicle license plates. This special license plate must be issued or revalidated for a biennial period which expires twenty‑four months from the month it is issued.

(B) The fees collected pursuant to this section above the cost of the regular motor vehicle registration fee must be distributed to the South Carolina Tennis Patrons Foundation and must be used to fund kids‑at‑risk programs throughout the State, need‑based grants for junior tennis players, and academic scholarships for high school seniors.

(C) The guidelines for the production of a special license plate under this section must meet the requirements of Section 56‑3‑8100.”

SECTION 2. Section 56‑3‑2320(A) of the 1976 Code is amended to read:

“(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 has a retail business license as required by Chapter 36 ~~of~~, Title 12 and has made at least twenty sales of motor vehicles 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.

A dealer may be issued two plates for the first twenty vehicles sold during the preceding year and one additional plate for each fifteen vehicles sold beyond the initial twenty 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.

The cost of each dealer plate issued is twenty dollars.

Upon application to the department, a public or private school, college, or university, the United Service Organization South Carolina, the American Red Cross, 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, the United Service Organization South Carolina, the American Red Cross, 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, chapter of the United Service Organization South Carolina, chapter of the American Red Cross, 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.

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.

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.”

SECTION 3. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“Article 118

‘Tree My Dog’ Special License Plates

Section 56‑3‑11810. (A) The Department of Motor Vehicles may issue special motor vehicle license plates to owners of private passenger carrying motor vehicles, as defined in Section 56‑3‑630, or motorcycles, as defined in Section 56‑3‑20, registered in their names which must have imprinted on the plate ‘Tree My Dog’. This special license plate must be of the same size and general design of regular motor vehicle license plates. This special license plate must be issued or revalidated for a biennial period which expires twenty‑four months from the month it is issued.

(B) The requirements for production, collection, and distribution of fees for this license plate are those set forth in Section 56‑3‑8100. The fees collected pursuant to this section above the cost of producing the license plates must be distributed to the South Carolina State Coon Hunters Association Youth Fund.”

SECTION 4. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“Article 108

United States Navy Chief Petty Officer Special License Plates

Section 56‑3‑12010. (A) The Department of Motor Vehicles may issue ‘United States Navy Chief Petty Officer’ special license plates to owners of private passenger carrying motor vehicles as defined in Section 56‑3‑630, and motorcycles as defined in Section 56‑3‑20, registered in their names who are active or retired United States Navy Chief Petty Officers. The applicant must present the department with a DD214 or other official documentation that states that he is an active or retired United States Navy Chief Petty Officer. Each special license plate must be of the same size and general design of regular motor vehicle license plates. Each special license plate must be issued or revalidated for a biennial period which expires twenty‑four months from the month the special license plate is issued.

(B) The fees collected pursuant to this section above the cost of production must be distributed to the Patriots Point Foundation.

(C) The guidelines for the production, collection and distribution of fees for a special license plate under this section must meet the requirements of Section 56‑3‑8100.”

SECTION 5. Section 56‑3‑7360 of the 1976 Code, as last amended by Act 347 of 2008, is further amended to read:

“Section 56‑3‑7360. The Department of Motor Vehicles may issue ‘Korean War Veterans’ special license plates to owners of private passenger motor vehicles and motorcycles registered in their names who are Korean War Veterans who served on active duty ~~in Korea~~ at anytime during the Korean War. The applicant must present the department with a DD214 or other official documentation that states that he served on active duty ~~in Korea~~ upon initial application for this special license plate. The requirements for production and distribution of the plate are those set forth in Section 56‑3‑8100. The biennial fee for this plate is the regular registration fee set forth in Article 5, Chapter 3 of this title plus an additional fee of twenty dollars. Any portion of the additional twenty‑dollar fee not set aside by the Comptroller General to defray costs of production and distribution must be distributed to the state general fund.”

SECTION 6. Section 56‑3‑9910(A) of the 1976 Code, as last amended by Act 79 of 2009, is further amended to read:

“(A) The Department of Motor Vehicles may issue ‘Gold Star Family’ special license plates to owners of private passenger motor vehicles, as defined in Section 56‑3‑630, registered in the names of members of the immediate family of United States armed forces killed in action. There is no fee for this special license plate. The license plates issued pursuant to this section must conform to a design agreed to by the department and the Chief Executive Officer of the South Carolina Chapter of American Gold Star Mothers, Inc. or other similar organization operating in this State, and contain letters or numbers, or both, requested by the applicant.”

SECTION 7. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“Article 108

United States Marine Corps Special License Plates

Section 56‑3‑10810. (A) The department may issue special license plates for use on private passenger motor vehicles and motorcycles owned or leased by residents of this State which honor the United States Marines Corps. The biennial fee for the special license plate is the regular motor vehicle license plate fee contained in Article 5, Chapter 3 of this title plus thirty dollars.

(B) The fees collected pursuant to this section above the cost of production must be distributed to the Moss Creek Marines, a 501(C)(3) organization.

(C) The guidelines for the productions, collection, and distribution of fees for a special license plate under this section must meet the requirements of Section 56‑3‑8100.”

SECTION 8. Section 56‑3‑8800 of the 1976 Code, as last amended by Act 347 of 2008, is further amended to read:

“Section 56‑3‑8800. (A) Notwithstanding another provision of law, the department may issue special motor vehicle license plates to World War II veterans or their spouses for private motor vehicles and motorcycles registered in their names. The fee for the issuance of this special motor vehicle license plate is the regular motor vehicle registration fee contained in Article 5, Chapter 3 of this title.

(B) If a person who qualifies for the special license plate issued under this section also qualifies for the handicapped placard issued pursuant to Section 56‑3‑1960, then the license plate issued pursuant to this section also shall include the international symbol of access used on placards issued pursuant to Section 56‑3‑1960. Until the department determines that the license plate shall be redesigned to include the international symbol of access, the department shall develop a decal using the international symbol of access to be placed on the license plate which shall be issued to all persons who request the license plate authorized by this section, including persons for whom license plates were issued pursuant to this section on or before the effective date of this subsection.”

SECTION 9. This act takes effect upon approval by the Governor.

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