**South Carolina General Assembly**

122nd Session, 2017-2018

**A208, R226, S1083**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Grooms, Campbell and Verdin

Document Path: l:\s-res\lkg\038temp.dmr.lkg.docx

Introduced in the Senate on March 6, 2018

Introduced in the House on April 3, 2018

Passed by the General Assembly on May 3, 2018

Governor's Action: May 15, 2018, Signed

Summary: Temporary license plates

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 3/6/2018 Senate Introduced and read first time ([Senate Journal‑page 11](file:///h%3A%5Csj%5C20180306.docx))

 3/6/2018 Senate Referred to Committee on **Transportation** ([Senate Journal‑page 11](file:///h%3A%5Csj%5C20180306.docx))

 3/22/2018 Senate Committee report: Favorable **Transportation** ([Senate Journal‑page 11](file:///h%3A%5Csj%5C20180322.docx))

 3/26/2018 Scrivener's error corrected

 3/28/2018 Senate Read second time ([Senate Journal‑page 26](file:///h%3A%5Csj%5C20180328.docx))

 3/28/2018 Senate Roll call Ayes‑41 Nays‑0 ([Senate Journal‑page 26](file:///h%3A%5Csj%5C20180328.docx))

 3/29/2018 Senate Read third time and sent to House ([Senate Journal‑page 27](file:///h%3A%5Csj%5C20180329.docx))

 4/3/2018 House Introduced and read first time ([House Journal‑page 81](file:///h%3A%5Chj%5C20180403.docx))

 4/3/2018 House Referred to Committee on **Education and Public Works** ([House Journal‑page 81](file:///h%3A%5Chj%5C20180403.docx))

 4/25/2018 House Committee report: Favorable **Education and Public Works** ([House Journal‑page 10](file:///h%3A%5Chj%5C20180425.docx))

 5/2/2018 House Read second time ([House Journal‑page 38](file:///h%3A%5Chj%5C20180502.docx))

 5/2/2018 House Roll call Yeas‑101 Nays‑0 ([House Journal‑page 38](file:///h%3A%5Chj%5C20180502.docx))

 5/3/2018 House Read third time and enrolled ([House Journal‑page 5](file:///h%3A%5Chj%5C20180503.docx))

 5/14/2018 Ratified R 226

 5/15/2018 Signed By Governor

 5/23/2018 Effective date See Act

 5/31/2018 Act No. 208

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=1083&session=122&summary=B) at the website

**VERSIONS OF THIS BILL**

[3/6/2018](file:///p%3A%5Cpprever%5C2017-18%5C1083_20180306.docx)

[3/22/2018](file:///p%3A%5Cpprever%5C2017-18%5C1083_20180322.docx)

[3/26/2018](file:///p%3A%5Cpprever%5C2017-18%5C1083_20180326.docx)

[4/25/2018](file:///p%3A%5Cpprever%5C2017-18%5C1083_20180425.docx)

(A208, R226, S1083)

**AN ACT** **TO AMEND SECTION 56‑3‑210, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TIME PERIOD FOR PROCURING REGISTRATION AND LICENSING, TEMPORARY LICENSE PLATES, AND THE TRANSFER OF LICENSE PLATES, SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES IS AUTHORIZED TO ADMINISTER A PROGRAM FOR AND REGULATE THE ISSUANCE OF TEMPORARY LICENSE PLATES FOR NEWLY ACQUIRED VEHICLES, TO PROVIDE FOR DESIGN AND OTHER SPECIFICATIONS FOR THE LICENSE PLATES, TO PROVIDE THAT THE DEPARTMENT IS AUTHORIZED TO ADMINISTER AN ELECTRONIC SYSTEM FOR COUNTY AUDITORS’ OFFICES, LICENSED MOTOR VEHICLE DEALERS, LEASING COMPANIES, AND OTHER ENTITIES AUTHORIZED BY THE DEPARTMENT TO USE IN ISSUING TEMPORARY LICENSE PLATES, TO PROVIDE THAT ANY PERSON OR ENTITY AUTHORIZED BY THIS SECTION TO ISSUE A TEMPORARY LICENSE PLATE SHALL MAINTAIN RECORDS AS REQUIRED BY THE DEPARTMENT, TO PROVIDE FOR EXEMPTIONS, TO PROVIDE FOR PENALTIES, AND TO PROVIDE THAT ALL ENTITIES AUTHORIZED TO ISSUE TEMPORARY PLATES MUST COMPLY WITH ALL PROGRAM SPECIFICATIONS WITHIN A CERTAIN TIME PERIOD.**

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

**Temporary license plate issuance**

SECTION 1. Section 56‑3‑210 of the 1976 Code is amended to read:

 “Section 56‑3‑210. (A)(1) The department is authorized to administer a program for and regulate the issuance of temporary license plates for newly acquired vehicles.

 (2) The department shall establish the design and layout of all temporary license plates to be issued within the State. Temporary license plates shall be of a material specified by the department so as to resist deterioration or fading from exposure to the elements during the period for which display is required.

 (3) Temporary license plates must be six inches wide and at least eleven inches in length. Temporary motorcycle license plates must be four inches wide and seven inches in length.

 (4) Licensed motor vehicle dealers, leasing companies, and other entities shall not:

 (a) obtain or procure a temporary license plate from any entity other than the department or one of the department’s registered temporary license plate distributors; or

 (b) charge a fee that exceeds the actual cost of issuing a temporary license plate plus standard shipping and handling costs.

 (5) The department is authorized to administer an electronic system for county auditors’ offices, licensed motor vehicle dealers, leasing companies, and other entities authorized by the department to use in issuing temporary license plates. The department may contract with vendors to provide service connection between the issuing entities and the department, or may provide the service directly to participating entities.

 (6) Each temporary license plate must contain a vehicle’s identifying information as determined by the department, to include the date of issue, the date of expiration, the name of the issuing entity, and a unique identifying license plate text that will be assigned by the department.

 (7) The temporary license plate text must be linked to the vehicle record and the vehicle’s owner in the department’s vehicle database. The issuing entity must produce a temporary license plate with the prescribed plate text immediately upon sale of a vehicle and assignment of a temporary license plate, so that law enforcement and authorized entities can identify the owner of the vehicle.

 (8) The department shall develop program specifications that define the requirements of the temporary license plate program governing the issuance of temporary license plates by all authorized entities.

 (9) Registered temporary license plate distributors must be statewide dealer associations.

 (a) Licensed dealers and leasing companies must receive temporary license plates from registered temporary license plate distributors.

 (b) Counties and other nondealer entities may receive temporary license plates from a registered distributor or the department.

 (B) A person who newly acquires a vehicle or an owner of a foreign vehicle that is being moved into this State, that is required to be registered under this chapter, and that is not properly registered and licensed, before operating the vehicle on the state’s highways during the forty‑five day period contained in this section, must:

 (1) transfer a license plate from another vehicle pursuant to subsection (G) of this section and Section 56‑3‑1290;

 (2) purchase a new license plate and registration;

 (3) purchase a temporary license plate from the department pursuant to subsection (D) of this section;

 (4) purchase a temporary license plate from the county auditor’s office in the county in which the person resides pursuant to subsection (D) of this section; or

 (5) obtain a temporary license plate from a dealer of new or used vehicles pursuant to subsection (E) of this section.

 (C) The owner of a foreign vehicle being moved into this State from a state in which the vehicle is properly licensed and registered need not purchase a temporary license plate. The owner has forty‑five days to properly license and register the vehicle in South Carolina, unless his foreign registration is expired, in which case he must properly license and register the vehicle immediately.

 (D) The department or the county auditor’s office must, upon proper application, issue a temporary license plate to a casual buyer of a vehicle pursuant to subsection (B) of this section. The expiration date may not extend beyond forty‑five days from the vehicle’s date of purchase or lease. The bill of sale, title, lease contract, temporary registration card issued in conjunction with a temporary license plate, or copy of one of these documents must be maintained in the vehicle at all times to verify the vehicle’s date of purchase to a law enforcement officer. The bill of sale, title, lease contract, or copy of one of these documents must provide a description of the vehicle, the name and address of both the seller and purchaser of the vehicle, and its date of sale or lease. The department may charge a five‑dollar fee for the temporary license plate. The county auditor’s office also may charge a five-dollar fee for the temporary license plate to defray the expenses of the county auditor’s office associated with the production and issuance of the temporary license plates.

 (E) A licensed vehicle dealer or a leasing company of new or used vehicles may issue to the buyer or lessee of a vehicle at the time of its sale or lease a temporary license plate in accordance with subsection (A). The expiration date may not extend beyond forty‑five days from the date of purchase or lease. Issuing entities may utilize the top fifty percent free space on their temporary license plates for dealer or company identification. The bottom fifty percent of all temporary license plates is reserved to display the temporary license plate number and other information required by the department. The bill of sale, title, lease contract, temporary registration card issued in conjunction with a temporary license plate, or copy of one of these documents must be maintained in the vehicle at all times to verify the vehicle’s date of purchase or lease to a law enforcement officer. The bill of sale, title, lease contract, or copy of one of these documents must contain a description of the vehicle, the name and address of both the seller and purchaser of the vehicle, and its date of sale or lease. Except as provided for in this section, a dealer or leasing company may not use a temporary license plate for any other purpose, which includes, but is not limited to, vehicle demonstration, employee use, or transporting vehicles from one location to another location. A dealer or leasing company may not place a temporary license plate on a vehicle until the vehicle is sold to a purchaser and until the temporary license plate number and other identifying information has been recorded in the electronic database and printed on the bottom fifty percent of the temporary license plate. A dealer that issues or allows a temporary license plate to be issued in violation of this section also may have the dealer violation points assessed. A nondealer issuing entity that violates this section may have its issuing privileges suspended by the department.

 (F) Any person or entity authorized by this section to issue a temporary license plate shall maintain records as required by the department. Records maintained pursuant to this subsection shall be open to inspection by the department or its agents during reasonable business hours.

 (G) If a person intends to transfer a license plate from one vehicle to another vehicle, he may place the license plate to be transferred on the newly acquired vehicle on the date of its purchase. The bill of sale and a copy of the registration which corresponds to the license plate must be maintained in the newly acquired vehicle at all times to verify its date of purchase to a law enforcement officer. The purchaser must register the vehicle with the department within forty‑five days from its purchase date. A person who transfers a license plate or allows a license plate to be transferred in violation of this subsection is subject to the vehicle registration and licensing provisions of law.

 (H) A person must replace a temporary license plate issued pursuant to this section with a permanent license plate and registration card as required by Section 56‑3‑110 within forty‑five days of acquiring the vehicle or moving a foreign vehicle into this State. A person who operates a vehicle in violation of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than one hundred dollars.

 (I) Nothing in this section may be construed to displace or effect the responsibility of a person to obtain insurance before operating a vehicle.

 (J) Only one temporary license plate shall be issued to a purchaser of a vehicle for the vehicle he has purchased before it is registered permanently. The department may issue special permits to consumers who have not received their registration within the prescribed forty‑five days.

 (K) The department may restrict or revoke the ability to issue temporary license plates for an issuing entity found to be in violation of this section.”

**Compliance**

SECTION 2. All entities authorized to issue temporary license plates pursuant to Section 56‑3‑210 must comply with all program specifications within one hundred eighty days of the effective date of this act.

**Time effective**

SECTION 3. This act takes effect twelve months after approval by the Governor.

Ratified the 14th day of May, 2018.

Approved the 15th day of May, 2018.

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