**South Carolina General Assembly**

119th Session, 2011-2012

**S. 1376**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Grooms, Campbell, Land, Peeler, Cleary, Cromer, Coleman, Setzler, McGill, Verdin, Nicholson, Shoopman, Ford and Rankin

Document Path: l:\s-res\lkg\006disp.kmm.lkg.docx

Companion/Similar bill(s): 5029

Introduced in the Senate on March 27, 2012

Introduced in the House on April 26, 2012

Last Amended on April 24, 2012

Currently residing in the House Committee on **Labor, Commerce and Industry**

Summary: Off-site display of automobiles

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

3/27/2012 Senate Introduced and read first time ([Senate Journal‑page 7](file:///h:\sj%20archive\2012\03-27-12.docx))

3/27/2012 Senate Referred to Committee on **Transportation** ([Senate Journal‑page 7](file:///h:\sj%20archive\2012\03-27-12.docx))

4/19/2012 Senate Committee report: Favorable with amendment **Transportation** ([Senate Journal‑page 7](file:///h:\sj%20archive\2012\04-19-12.docx))

4/20/2012 Scrivener's error corrected

4/24/2012 Senate Committee Amendment Adopted ([Senate Journal‑page 33](file:///h:\sj%20archive\2012\04-24-12.docx))

4/24/2012 Senate Read second time ([Senate Journal‑page 33](file:///h:\sj%20archive\2012\04-24-12.docx))

4/24/2012 Senate Roll call Ayes‑38 Nays‑0 ([Senate Journal‑page 33](file:///h:\sj%20archive\2012\04-24-12.docx))

4/25/2012 Senate Read third time and sent to House ([Senate Journal‑page 24](file:///h:\sj%20archive\2012\04-25-12.docx))

4/26/2012 House Introduced and read first time ([House Journal‑page 24](file:///h:\hj%20archive\2012\04-26-12.docx))

4/26/2012 House Referred to Committee on **Labor, Commerce and Industry** ([House Journal‑page 24](file:///h:\hj%20archive\2012\04-26-12.docx))

**VERSIONS OF THIS BILL**

[3/27/2012](file:///p:\pprever\2011-12\1376_20120327.docx)

[4/19/2012](file:///p:\pprever\2011-12\1376_20120419.docx)

[4/20/2012](file:///p:\pprever\2011-12\1376_20120420.docx)

[4/24/2012](file:///p:\pprever\2011-12\1376_20120424.docx)

COMMITTEE AMENDMENT ADOPTED

April 24, 2012

**S. 1376**

Introduced by Senators Grooms, Campbell, Land, Peeler, Cleary, Cromer, Coleman, Setzler, McGill, Verdin, Nicholson and Shoopman

S. Printed 4/24/12--S.

Read the first time March 27, 2012.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56‑15‑315 SO AS TO PROVIDE FOR OFF‑SITE DISPLAYS OF AUTOMOBILES AND CERTAIN TRUCKS UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS PROVISION.

Amend Title To Conform

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

SECTION 1. Article 3, Chapter 15, Title 56 of the 1976 Code is amended by adding:

“Section 56‑15‑315. (A) Notwithstanding another provision of law, off‑site displays of automobiles or trucks are prohibited except as provided in this section. A licensed South Carolina automobile dealer or dealer of trucks may display not more than ten automobiles or trucks per licensed dealership off‑site only at nonselling temporary events lasting no more than ten days hosted by a South Carolina based: charitable organization as defined in the South Carolina Solicitation of Charitable Funds Act for fundraising purposes; school fundraising event; church fundraising event; town fair, town festival; or any other similar festival or event.

(B) Used automobile or truck dealers may display used automobiles or trucks off‑site as provided in this section in the county in which their dealership is located.

(C) Displays may be conducted only by South Carolina licensed dealers. Any automobile or truck displayed must be owned by the dealer. Any person or automobile or truck dealer who violates these provisions is subject to a five hundred dollar fine.

(D) Off‑site displays are for display purposes only. Sales or attempts to sell as defined in Section 56‑15‑10(l), or both, are not permitted off site. An automobile or truck dealer who sells or attempts to affect the off‑site sale of an automobile or truck is in violation of this section and is subject to a two thousand dollar fine. An agent of an automobile or truck dealer who sells or attempts to affect the off-site sale of any automobile or truck is subject to a separate five hundred dollar fine.

(E) A motor vehicle manufacturer cannot require a franchised automobile or truck dealer to display automobiles or trucks off site.

(F) Nothing in this section shall prohibit an automobile or truck dealer from participating in one nonselling statewide motor vehicle show in South Carolina per year, or a manufacturer, individual automobile owner, or truck owner from displaying their vehicles.

(G) Nothing in this section shall be construed to prevent a licensed dealer from providing vehicles for demonstration or test driving purposes as specified in Section 56‑3‑2320.

(H) The department shall enforce the provisions contained in this section.”

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

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