

## Session 119 - (2011-2012)

### **S\*1031 (Rat #0269, Act #0242 of 2012) General Bill, By Lourie, L. Martin, Elliott, Setzler and Alexander**

**Summary:** To increase the age of the vehicle that may be disposed of by a demolisher

AN ACT TO AMEND SECTION 16-11-523, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO UNLAWFULLY OBTAINING NONFERROUS METALS, SO AS TO REVISE THE DEFINITION OF "NONFERROUS METALS", AND TO PROVIDE FOR THE REVOCATION OF A PERMIT TO PURCHASE NONFERROUS METALS HELD BY A PERSON WHO VIOLATES THE PROVISIONS OF THIS SECTION; TO AMEND SECTION 16-17-680, AS AMENDED, RELATING TO SECONDARY METALS RECYCLERS' PERMITS TO PURCHASE NONFERROUS METALS AND TRANSPORT AND SELL NONFERROUS METALS, SO AS TO REVISE THE DEFINITIONS OF CERTAIN TERMS, AND TO REVISE THE PROVISIONS THAT REGULATE SECONDARY METALS RECYCLERS WHO PURCHASE NONFERROUS METALS; TO AMEND SECTIONS 40-27-10 AND 40-27-20, BOTH RELATING TO REQUIRING A PERSON WHO BUYS JUNK TO KEEP A RECORD OF PERSONS WHO SELL JUNK TO HIM AND KEEP EACH ARTICLE OF JUNK PURCHASED FOR A SEVENTY-TWO HOUR PERIOD, SO AS TO PROVIDE THAT THESE PROVISIONS APPLY TO JUNK THAT DOES NOT CONSISTS OF NONFERROUS METALS; TO AMEND SECTION 56-3-1380, RELATING TO THE RETURN OF THE REGISTRATION CARD, LICENSE PLATE, AND REVALIDATION STICKER TO THE DEPARTMENT OF MOTOR VEHICLES OF A MOTOR VEHICLE THAT HAS BEEN DISMANTLED OR WRECKED, SO AS TO PROVIDE THAT A PERSON WHO DISPOSES OF A VEHICLE TO A DEMOLISHER OR SECONDARY METALS RECYCLER CAN SURRENDER THE TITLE CERTIFICATE TO THE DEMOLISHER OR SECONDARY METALS RECYCLER SO THAT THE DEMOLISHER OR SECONDARY METAL RECYCLER CAN SURRENDER THE TITLE CERTIFICATE TO THE DEPARTMENT OF MOTOR VEHICLES; TO AMEND SECTION 56-5-5640, RELATING TO THE SALE OF UNCLAIMED VEHICLES, SO AS TO PROVIDE THAT THE OFFICE OF COURT ADMINISTRATION SHALL DESIGN A UNIFORM MAGISTRATES ORDER OF SALE AND DISTRIBUTE IT TO MAGISTRATES AND PROVIDE THAT THE ORDER OF SALE MUST BE SUFFICIENT TITLE FOR TRANSFERRING A VEHICLE TO A DEMOLISHER OR SECONDARY METALS RECYCLER; TO REPEAL SECTION 56-5-5660 RELATING TO APPLICATIONS FOR AND THE ISSUANCE OF DISPOSAL AUTHORITY CERTIFICATES; TO AMEND SECTIONS 56-5-5670 AND 56-5-5945, BOTH AS AMENDED, RELATING TO THE DUTIES THAT A DEMOLISHER WHO PURCHASES OR ACQUIRES CERTAIN VEHICLES OR NONFERROUS METALS MUST PERFORM, SO AS TO PROVIDE DEFINITIONS FOR CERTAIN TERMS, PROVIDE THAT A DEMOLISHER OR SECONDARY METALS RECYCLER MAY NOT DISPOSE OF A VEHICLE WITHOUT RECEIVING A VALID CERTIFICATE OF TITLE, A VALID MAGISTRATES ORDER OF SALE, OR A VALID SHERIFF'S DISPOSAL AUTHORITY CERTIFICATE, TO PROVIDE THE CIRCUMSTANCES IN WHICH A VEHICLE MAY BE DISPOSED OF BY A DEMOLISHER OR SECONDARY METALS RECYCLER WHEN A CERTIFICATE OF TITLE, MAGISTRATES ORDER OF SALE, OR SHERIFF'S DISPOSAL AUTHORITY CERTIFICATE IS NOT AVAILABLE, TO REVISE THE RECORD KEEPING PROVISIONS THAT APPLY TO DEMOLISHERS AND SECONDARY METAL RECYCLERS, TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES SHALL CONVENE A WORKING GROUP FOR THE PURPOSE OF ASSISTING IN THE DEVELOPMENT OF FORMS AND REGULATIONS TO IMPLEMENT THE PROVISIONS CONTAINED IN THIS SECTION, AND TO REVISE THE PENALTY FOR A VIOLATION OF THESE PROVISIONS; AND TO AMEND SECTION 56-19-480, RELATING TO THE TRANSFER AND SURRENDER OF CERTIFICATES OF TITLE, LICENSE PLATES, REGISTRATION CARDS AND MANUFACTURERS SERIAL PLATES OF VEHICLES SOLD AS SALVAGE, ABANDONED, SCRAPPED, OR DESTROYED, SO AS TO PROVIDE THAT THIS PROVISION DOES NOT APPLY TO A DEMOLISHER OR SECONDARY METALS RECYCLER, AND TO PROVIDE THAT A PERSON WHO DISPOSES OF A VEHICLE TO A DEMOLISHER OR SECONDARY METALS RECYCLER SHALL PROVIDE THE VEHICLE'S TITLE CERTIFICATE TO THE DEMOLISHER OR SECONDARY METALS RECYCLER SO THAT THEY CAN SURRENDER IT TO THE DEPARTMENT OF MOTOR VEHICLES. - ratified title

12/05/11	Senate	Prefiled
12/05/11	Senate	Referred to Committee on Judiciary
01/10/12	Senate	Introduced and read first time (Senate Journal-page 21)
01/10/12	Senate	Referred to Committee on Judiciary (Senate Journal-page 21)
01/18/12	Senate	Committee report: Favorable with amendment Judiciary (Senate Journal-page 6)
01/19/12		Scrivener's error corrected
02/01/12	Senate	Committee Amendment Adopted (Senate Journal-page 33)
02/02/12		Scrivener's error corrected
02/21/12	Senate	Amended (Senate Journal-page 9)
02/22/12		Scrivener's error corrected
02/23/12	Senate	Read second time (Senate Journal-page 14)

02/23/12 Senate Roll call Ayes-32 Nays-0 (Senate Journal-page 14)  
02/28/12 Senate Read third time and sent to House (Senate Journal-page 15)  
02/29/12 House Introduced and read first time (House Journal-page 6)  
02/29/12 House Referred to Committee on Education and Public Works (House Journal-page 6)  
03/29/12 House Committee report: Favorable with amendment Education and Public Works (House Journal-page 81)  
04/24/12 House Debate adjourned until Tues., 05-01-12 (House Journal-page 42)  
05/01/12 House Debate adjourned (House Journal-page 23)  
05/01/12 House Requests for debate-Rep(s). Thayer, Hixon, JR Smith, Bedingfield, Corbin, White, Bales, Tallon, Brannon, Brady (House Journal-page 33)  
05/02/12 House Amended (House Journal-page 11)  
05/02/12 House Debate adjourned until Thur., 05-03-12 (House Journal-page 11)  
05/02/12 House Requests for debate removed-Rep(s). Tallon, Bedingfield, GR Smith, Corbin, Hixon, Thayer, Brannon, White (House Journal-page 11)  
05/03/12 House Read second time (House Journal-page 44)  
05/03/12 House Roll call Yeas-91 Nays-0 (House Journal-page 45)  
05/08/12 Scrivener's error corrected  
05/08/12 House Reconsidered (House Journal-page 7)  
05/08/12 House Amended (House Journal-page 9)  
05/08/12 House Read second time (House Journal-page 9)  
05/08/12 House Roll call Yeas-113 Nays-0 (House Journal-page 9)  
05/09/12 House Read third time and returned to Senate with amendments  
05/09/12 Scrivener's error corrected  
05/29/12 Senate House amendment amended (Senate Journal-page 63)  
05/29/12 Senate Roll call Ayes-39 Nays-0 (Senate Journal-page 63)  
05/29/12 Senate Returned to House with amendments (Senate Journal-page 63)  
06/05/12 House Debate adjourned until Wed., 06-06-12 (House Journal-page 102)  
06/06/12 House Concurred in Senate amendment and enrolled (House Journal-page 43)  
06/06/12 House Roll call Yeas-89 Nays-2 (House Journal-page 45)  
06/12/12 Ratified R 269  
06/18/12 Signed By Governor  
06/25/12 Effective date See Act for Effective Date  
06/27/12 Act No. 242