

## Session 117 - (2007-2008)

### H 3084 (Rat #0244) General Bill, By Clemmons and Witherspoon

#### *Similar (S 0505)*

**Summary:** Motorcycle manufacturers, distributors, dealers, and wholesalers

AN ACT TO AMEND SECTION 56-16-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROCEDURE A MANUFACTURER WHO SEEKS TO ENTER INTO A FRANCHISE ESTABLISHING AN ADDITIONAL NEW MOTORCYCLE DEALERSHIP OR RELOCATING AN EXISTING NEW MOTORCYCLE DEALERSHIP IN A RELEVANT MARKET AREA WHERE THIS LINE-MAKE IS REPRESENTED MUST FOLLOW, SO AS TO DELETE THE TERM "NEW MOTORCYCLE" AND REPLACE IT WITH THE TERM "MOTORCYCLE", TO MAKE A TECHNICAL CHANGE, TO INCREASE THE SIZE OF THE RELEVANT MARKET AREA, TO REVISE THE PERIOD IN WHICH A CIVIL ACTION MAY COMMENCE UNDER THIS PROVISION AND THE METHOD OF NOTICE THAT MUST BE USED, AND TO REVISE THE CONDITIONS UPON WHICH A COURT SHALL ENJOIN OR PROHIBIT THE ESTABLISHMENT OF CERTAIN NEW OR RELOCATED DEALERSHIPS; BY ADDING SECTION 56-16-220 SO AS TO PROVIDE THAT THE STATE OF SOUTH CAROLINA IS THE VENUE FOR AN ACTION BROUGHT PURSUANT TO CHAPTER 16 OF TITLE 56, AND TO PROVIDE THAT A PROVISION OF A FRANCHISE OR OTHER AGREEMENT WITH CONTRARY PROVISIONS IS VOID AND UNENFORCEABLE; AND BY ADDING SECTION 56-16-230 SO AS TO PROVIDE STATUTE OF LIMITATIONS FOR ACTIONS ARISING OUT OF A PROVISION CONTAINED IN CHAPTER 16 OF TITLE 56. - ratified title

12/13/06	House	Prefiled
12/13/06	House	Referred to Committee on Labor, Commerce and Industry
01/09/07	House	Introduced and read first time HJ-51
01/09/07	House	Referred to Committee on Labor, Commerce and Industry HJ-53
05/02/07	House	Committee report: Favorable with amendment Labor, Commerce and Industry HJ-3
05/03/07	House	Amended HJ-146
05/03/07	House	Read second time HJ-152
05/03/07	House	Unanimous consent for third reading on next legislative day HJ-152
05/04/07	House	Read third time and sent to Senate HJ-1
05/08/07	Senate	Introduced and read first time SJ-5
05/08/07	Senate	Referred to Committee on Transportation SJ-5
05/01/08	Senate	Polled out of committee Transportation SJ-17
05/01/08	Senate	Committee report: Favorable Transportation SJ-17
05/01/08	Senate	Amended SJ-19
05/01/08	Senate	Read second time SJ-19
05/01/08	Senate	Unanimous consent for third reading on next legislative day SJ-19
05/02/08	Senate	Read third time and returned to House with amendments SJ-1
05/02/08		Scrivener's error corrected
05/07/08	House	Concurred in Senate amendment and enrolled HJ-23
05/08/08		Ratified R 244
05/14/08		Vetoed by Governor
05/21/08	House	Veto Sustained Yeas-63 Nays-48 HJ-75
05/21/08	House	Motion noted- Rep. JR Smith moved to reconsider the vote whereby the Governor's veto was sustained HJ-216
05/22/08	House	Reconsider vote whereby veto sustained HJ-76
05/22/08	House	Veto sustained Yeas-40 Nays-60 HJ-78