



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
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Bill Number: S. 0321 Amended by the Senate on March 8, 2017
Author: Verdin
Subject: Recreational Vehicles
Requestor: Senate Transportation
RFA Analyst(s): Wren
Impact Date: March 16, 2017 - Updated for Additional Agency Response

Estimate of Fiscal Impact

	FY 2017-18	FY 2018-19
State Expenditure		
General Fund	Undetermined	\$0
Other and Federal	Undetermined	\$0
Full-Time Equivalent Position(s)	0.00	0.00
State Revenue		
General Fund	\$0	\$0
Other and Federal	\$0	\$0
Local Expenditure	\$0	\$0
Local Revenue	\$0	\$0

Fiscal Impact Summary

The amended bill will have no impact on the General Fund, Other Funds, or Federal Funds of the Department of Motor Vehicles (DMV). The expenditure impact on the General Fund, Other Funds, and Federal Funds of the Administrative Law Court is undetermined. Any increase in expenses for the Judicial Department would be absorbed within existing resources. Any change in revenue as a result of this bill is not expected to be significant. The bill is not expected to significantly impact local government expenditures or revenue. The state expenditure section of this fiscal impact statement has been updated to include responses from DMV and the Administrative Law Court.

Explanation of Fiscal Impact

Amended by the Senate on March 8, 2017

Updated for Additional Agency Response

State Expenditure

The amended bill repeals the current code sections of Article 5, Chapter 17, Title 31 regulating travel trailers and adds Chapter 14 to Title 56 to establish definitions and procedures for recreational vehicle manufacturers, distributors, and dealers of new recreational vehicles. Currently, the definition of travel trailers includes tent campers, park models, park trailers, motor homes, and fifth wheels. The amended bill defines recreational vehicles as motorhomes, travel trailers, fifth-wheel trailers, and folding camping trailers. The bill also exempts recreational vehicles from the definition of motor vehicles as it relates to the regulation of manufacturers, distributors, and dealers. Additionally, the bill decreases the current maximum fine for a first offense and decreases the current minimum fine for a second offense for individuals who fail to

secure either a temporary or permanent recreational vehicle dealer license. There is no change to the current imprisonment time. Further, the bill authorizes DMV to promulgate regulations for the enforcement of these new provisions.

Department of Motor Vehicles. The agency indicates that this bill will have no impact on the General Fund, Other Funds, or Federal Funds since the bill repeals the current code sections of Article 5, Chapter 17, Title 31 regulating travel trailers and adds Chapter 14 to Title 56 to establish definitions and procedures for recreational vehicle manufacturers, distributors, and dealers of new recreational vehicles. This section has been updated to include a response from the agency.

Judicial Department. This bill alters the maximum fine for a first offense and the minimum fine for a second offense of operating without a dealer's license, and it provides for new civil causes of action in circuit court. Based upon previous information received from the Judicial Department on similar legislation, the agency indicated that this bill may increase the number of circuit court hearings or trials held in circuit court, but any additional expenditures could be absorbed by the agency.

Administrative Law Court. This bill creates a new statute regarding licensing for recreational vehicles. Hearings for cases related to the licensing of recreational vehicles would be heard by the court's Office of Motor Vehicle Hearings (OMVH). There is no data to determine the number of new cases that may be heard by the OMVH, therefore the expenditure impact of the bill is undetermined. This section has been updated to include a response from the agency.

State Revenue

The bill decreases the current fines for a first and second offense for individuals who fail to secure either a temporary or permanent recreational vehicle dealer license. The maximum fine for a first offense is lowered from a maximum of \$500 in Section 31-7-520 to a maximum of \$200 in Section 56-14-30. The minimum fine for a second offense is lowered from a minimum of \$500 in Section 31-7-520 to a minimum of \$200 in Section 56-14-30. Existing law distributes revenue generated from fines, assessments, and surcharges imposed for such convictions among the General Fund, specified state agencies and programs, and local governments. Although data is not available on the number of convictions or amount of fines assessed, the Revenue and Fiscal Affairs Office does not expect any change in revenue as a result of this bill to be significant.

Local Expenditure

The bill lowers the current maximum fine for a first offense and lowers the current minimum fine for a second offense for individuals who fail to secure either a temporary or permanent recreational vehicle dealer license. As this bill does not otherwise change the criminal offenses that may be heard in magistrate court, the Revenue and Fiscal Affairs Office does not anticipate that any change in the number of offenses, judicial proceedings, or convictions associated with this bill will have an expenditure impact on local governments.

Local Revenue

The bill lowers the current maximum fine for a first offense and lowers the current minimum fine for a second offense for individuals who fail to secure either a temporary or permanent recreational vehicle dealer license. Existing law distributes revenue generated from fines, assessments, and surcharges imposed for such convictions among the General Fund, specified state agencies and programs, and local governments. Although data is not available on the number of convictions or amount of fines assessed, the Revenue and Fiscal Affairs Office does not anticipate any change in revenue generated as a result of this bill to be significant.

Introduced on January 31, 2017

State Expenditure

This bill repeals the current code sections of Article 5, Chapter 17, Title 31 regulating travel trailers and adds Chapter 14 to Title 56 to establish definitions and procedures for recreational vehicle manufacturers, distributors, and dealers of new recreational vehicles. Currently, the definition of travel trailers includes tent campers, park models, park trailers, motor homes, and fifth wheels. This bill defines recreational vehicles as motorhomes, travel trailers, fifth-wheel trailers, folding camping trailers, or park model recreational vehicles designed to provide temporary living quarters for recreational, camping, or travel use. The bill also exempts recreational vehicles from the definition of motor vehicles as it relates to the regulation of manufacturers, distributors, and dealers. Additionally, the bill decreases the current maximum fine for a first offense and decreases the current minimum fine for a second offense. There is no change to the current imprisonment time. Further, the bill authorizes DMV to promulgate regulations for the enforcement of these new provisions.

Department of Motor Vehicles. The expenditure impact is pending, contingent upon a response from the agency.

Judicial Department. This bill alters the maximum fine for a first offense and the minimum fine for a second offense of operating without a dealer's license, and it provides for new civil causes of action in circuit court. Based upon previous information received from the Judicial Department on similar legislation, the agency indicated that this bill may increase the number of circuit court hearings or trials held in circuit court, but any additional expenditures could be absorbed by the agency.

Administrative Law Court. The expenditure impact of this bill is pending, contingent upon a response from the agency.

State Revenue

The bill decreases the current fines for a first and second offense for individuals who fail to secure either a temporary or permanent recreational vehicle dealer license. The maximum fine for a first offense is lowered from a maximum of \$500 in Section 31-7-520 to a maximum of \$200 in Section 56-14-30. The minimum fine for a second offense is lowered from a minimum of \$500 in Section 31-7-520 to a minimum of \$200 in Section 56-14-30. Existing law distributes revenue generated from fines, assessments, and surcharges imposed for such convictions among the General Fund, specified state agencies and programs, and local governments. Although data is not available on the number of convictions or amount of fines assessed, the Revenue and

Fiscal Affairs Office does not expect any change in revenue as a result of this bill to be significant.

Local Expenditure

The bill lowers the current maximum fine for a first offense and lowers the current minimum fine for a second offense for individuals who fail to secure either a temporary or permanent recreational vehicle dealer license. As this bill does not otherwise change the criminal offenses that may be heard in magistrate court, the Revenue and Fiscal Affairs Office does not anticipate that any change in the number of offenses, judicial proceedings, or convictions associated with this bill will have an expenditure impact on local governments.

Local Revenue

The bill lowers the current maximum fine for a first offense and lowers the current minimum fine for a second offense for individuals who fail to secure either a temporary or permanent recreational vehicle dealer license. Existing law distributes revenue generated from fines, assessments, and surcharges imposed for such convictions among the General Fund, specified state agencies and programs, and local governments. Although data is not available on the number of convictions or amount of fines assessed, the Revenue and Fiscal Affairs Office does not anticipate any change in revenue generated as a result of this bill to be significant.



Frank A. Rainwater, Executive Director