

**ADOPTED**

Representatives Ridley of the 6<sup>th</sup> and Corbett of the 174<sup>th</sup> offer the following amendment:

1 *Amend the Senate substitute to HB 551 (HB 551/SCSFA) by replacing line 9 with the*  
2 *following:*

3 the department for certain violations; to provide standards for the issuance of dealer master  
4 plates; to authorize access to certain information with the State

5 *By replacing line 11 with the following:*

6 for certain purposes; to revise and provide for a definition; to provide for notice and hearings;  
7 to amend Code

8 *By replacing lines 110 and 111 with the following:*

9 (a) As used in this Code section, the term 'dealer' means any person who is engaged, in  
10 whole or in part, in the business of selling, exchanging, renting with an option to purchase,  
11 or offering an interest in motor vehicles for commission or with intent to make a profit or  
12 gain of money or other thing of value, whether or not such motor vehicles are owned by  
13 such person, and demonstrates an annual motor vehicle sales history of at least five motor  
14 vehicle sales as identified by department records or documentation approved by the  
15 department.

16 (b) Any dealer of new or used motor vehicles shall issue a temporary operating permit  
17 without

18 *By replacing "(b)" with "(c)" on line 123.*

19 *By replacing "(c)" with "(d)" on line 187.*

20 *By replacing lines 207 through 210 with the following:*

21 headquarters, distributor, and dealer plates, by adding a new paragraph to subsection (a),  
22 revising paragraph (1) of subsection (a), and by revising subsections (c) through (f) as  
23 follows:

24 "(a)(1) As used in this Code section, the term 'dealer' shall have the same meaning as set  
25 forth in Code Section 40-2-8.1.

26 (1) Manufacturers, manufacturer headquarters, distributors, and dealers engaged in the

27 *By replacing lines 348 through 355 with the following:*

28 "(3) 'Established place of business' means a salesroom or sales office in a building or on  
29 an open lot of a retail used car dealership or at which a permanent business of bartering,  
30 trading, offering, displaying, selling, buying, dismantling, or rebuilding wrecked or used  
31 motor vehicles or parts is carried on, or the place at which the books, records, and files  
32 necessary to conduct such business are kept. Each such place of business shall be  
33 furnished with a working telephone listed in the name of the licensee for use in  
34 conducting the business and shall be marked by an appropriate permanent sign as  
35 prescribed by the appropriate division under this chapter. Except when at least 500 motor  
36 vehicle sales are conducted annually at such location, each such place of business shall  
37 be at least 250 square feet."

38 *By replacing lines 407 through 418 with the following:*

39 "(f) It shall be unlawful and punishable by a fine of \$1,000.00 for any towing and storage  
40 firm, permitted or unpermitted, licensed or unlicensed, to enter into any agreement with  
41 any person in possession of private property to provide automatic or systematic  
42 surveillance of such property for purposes of removal and relocation of any ~~such~~  
43 trespassing vehicle or ~~trespassing~~ personal property except upon call by such person in  
44 possession of such private property to such towing and storage firm for each individual

45 case of trespass; provided, further, that it shall be unlawful and punishable by a fine of  
46 \$1,000.00 for any ~~towing and storage firm~~ person to pay to any private property owner or  
47 one in possession of private property any fee or emolument, directly or indirectly, for the  
48 right to immobilize or remove a trespassing vehicle or ~~trespassing~~ personal property from  
49 said private property."