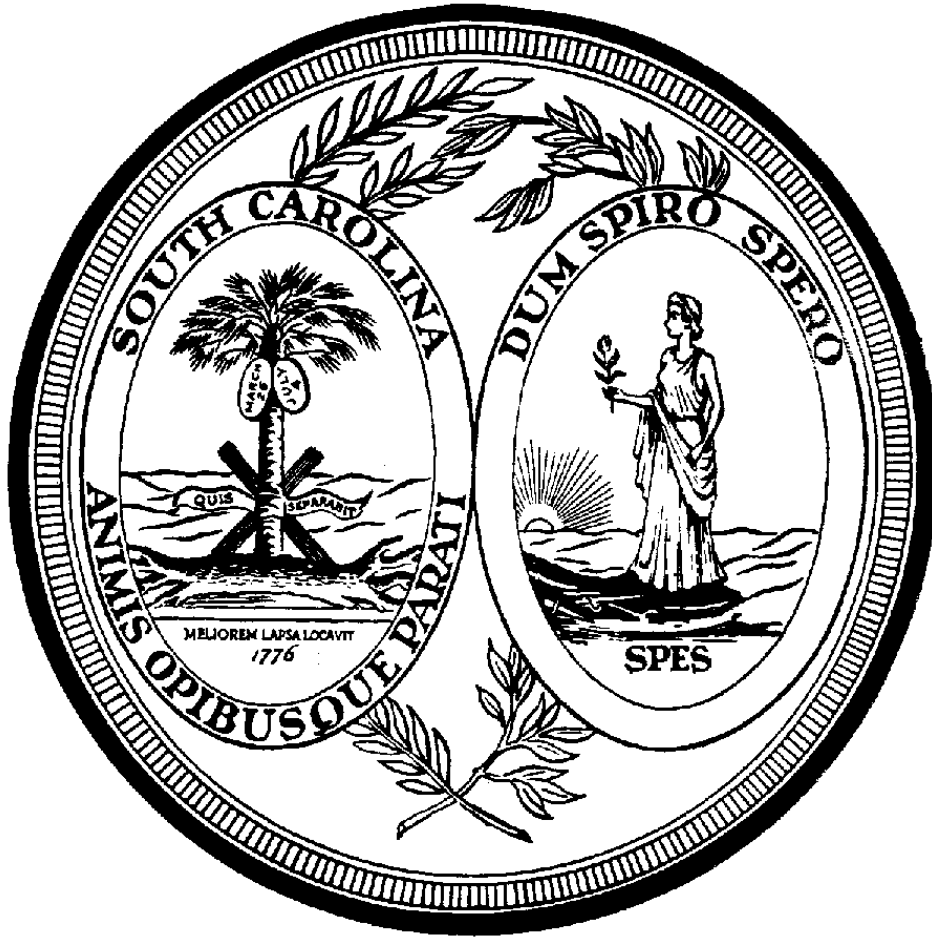


South Carolina Department of Motor Vehicles



Dealer and Wholesaler Manual 2007

PURPOSE AND SCOPE

The South Carolina Department of Motor Vehicles (DMV) has developed a Dealer and Wholesaler Manual to provide new and existing dealers with up-to-date information. This manual lists requirements mandated by state and federal law, and DMV's policy. It is also designed to instruct dealers on how to complete certain types of documents and about the proper maintenance of dealer records.

Dealers should review the Dealer Manual and familiarize themselves with its contents. The sections of the Dealer Manual are arranged by topic, with a table of contents and with instruction sheets for certain documents. The information in this Dealer Manual is not protected by copyright, and may be reproduced in part or in whole, as needed.

Changes in law or policy may require periodic updates to the Dealer Manual. The manual will be placed on DMV's website. Sections of the law appearing in this manual may be paraphrased for simplicity or to reflect DMV's interpretation. Customers wishing to research specific sections of the law may do so by visiting our website at: www.scdmvonline.com

If you have comments or suggestions related to this manual, please contact us at the below address or via phone at (803) 896-2611:

South Carolina Department of Motor Vehicles
Dealer License & Audit Unit
P. O. Box 1498
Blythewood, SC 29016-0023

DISCLAIMER:

The state motor vehicle laws are not reproduced in their entirety and the wording is not identical. Due to possible legislative changes in federal and state law and SCDMV policy, the information in this manual may not always be current. SCDMV will make every effort to incorporate any changes as soon as possible. If a conflict appears between the language of this manual and the language of South Carolina law, the law will prevail.

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A Message from the Executive Director

As a South Carolina dealer or wholesaler, the services you provide your customers are an important part of the state's economy. This manual is designed to assist you in the operation of your business and give you a better understanding of the procedures required by law.

We know that the buying, selling, titling and registration of motor vehicles can be a complicated process and SCDMV employees are available to assist you. It is important to maintain accurate records and ensure that each and every transaction is documented correctly.

Please review this manual and contact our Dealer Licensing and Audit Unit if you have any questions. As laws change, this publication will be supplemented to keep you informed.

A handwritten signature in cursive script that reads "Marcia S. Adams".

Marcia S. Adams, Executive Director
S.C. Department of Motor Vehicles

SECTION I

DEALER LICENSES

TYPES OF DEALER LICENSES

The Department of Motor Vehicles (DMV) issues several types of licenses for buying, selling and trading motor vehicles. The type of business you wish to operate should determine the type of license appropriate for you. Each license is valid for 12 months and must be displayed prominently in your place of business. Each license applies to only one dealer at one business location and is not transferable to any other dealer or location. The fee for each license is \$50. If you operate as a dealer or wholesaler without the proper license, you may be convicted of a misdemeanor and fined up to \$10,000 and/or imprisoned for up to two (2) years.

MOTOR VEHICLE DEALER LICENSE

A motor vehicle retail dealer license, the most commonly issued license, will allow you to sell retail or wholesale motor vehicles in your inventory. Vehicles may be sold to the general public and any other dealer or wholesaler.

As a licensed dealer, you are not required to sell a specific number of vehicles to maintain your license. However, you must have a dealer license if you do the following:

- sell or attempt to sell more than five (5) vehicles in a calendar year.

MOTOR VEHICLE WHOLESALER LICENSE

Licensed motor vehicle wholesalers differ from dealers in that the law restricts to whom they can sell motor vehicles. As a licensed wholesaler, you may only sell vehicles in your inventory to licensed motor vehicle dealers or other licensed wholesalers. There are no limitations on or requirements for the number of vehicles you sell in a calendar year. In addition, as a licensed wholesaler, you are not required to sell a specific number of vehicles to maintain your license. However, you must have a wholesaler license if you do the following:

- sell or attempt to sell more than five (5) vehicles in a calendar year.

MOTOR VEHICLE WHOLESALE AUCTION LICENSE

A motor vehicle wholesale auction license allows you to conduct a motor vehicle auction in your place of business. You do not own the vehicles auctioned. Other businesses actually own, buy or sell the vehicles. Your wholesale auction license permits you to provide a building or place to conduct the auction. If you choose to purchase and sell vehicles belonging to the auction, you may do so.

MOTORCYCLE DEALER LICENSE

As a retail motorcycle dealer, you are licensed to sell retail or wholesale motorcycles in your inventory to the general public or any other dealer or wholesaler. As a licensed motorcycle dealer, you are not required to sell a specific number of motorcycles to maintain your license. However, you must have a dealer license if you do the following:

- sell or attempt to sell more than five (5) motorcycles in a calendar year.

MOTORCYCLE WHOLESALER LICENSE

Licensed motorcycle wholesalers are limited to selling motorcycles to licensed motorcycle dealers or other licensed motorcycle wholesalers. In addition, as a licensed wholesaler, you are not required to sell a specific number of vehicles to maintain your license. However, you must have a motorcycle wholesaler license if you do the following:

- sell or attempt to sell more than five (5) motorcycles in a calendar year.

TRAVEL TRAILER DEALER LICENSE

You are required to be a travel trailer dealer if you do the following:

- sell or attempt to sell one travel trailer that has never been titled.
- sell or attempt to sell more than three (3) previously titled travel trailers in a calendar year.

(NOTE: These dealers are issued a regular dealer's license marked *Travel Trailer Dealer*. This dealer license expires on December 31 regardless of issue date. Only travel trailers [also called campers, RVs, and motor homes] are issued this type of license. The sale of utility and other trailers do not require a dealer license.)

(TEMPORARY) TRAVEL TRAILER/CAMPER DEALER LICENSE

You must be a licensed South Carolina travel or camper trailer dealer to apply for a temporary travel trailer dealer license. This temporary license permits you to exhibit and sell travel trailers or motor homes at fairs, recreational and sports shows, vacation shows and other similar events. Dealers may not purchase more than six (6) temporary licenses in one year. This license applies to only one dealer operating in one location and is not transferable to any other dealer or location.

The temporary travel trailer/dealer camper license is valid for 10 consecutive days, and the fee is \$20 per license. DMV Form 417-C, "Application for a Temporary Motor Home or Travel Trailer Dealer License" must be completed in order to obtain this license.

TRANSPORTER PERMIT

A “transporter” is a person engaged in the business of moving motor vehicles for the following purposes:

- from a manufacturer to a dealer;
- from a railroad terminal to a storage facility;
- for further construction of cabs or bodies; or
- in connection with the foreclosure or repossession of a vehicle.

A person applying for a transporter permit must complete DMV Form DLA-3, Application for License as Motor Vehicle Transporter. The annual fee for a transporter permit is \$50. Transporters may also purchase transporter plates for an annual fee of \$10 per plate. Transporter plates may be transferred from vehicle to vehicle, but must not be used on vehicles that are loaned, rented, or leased. To use transporter plates you must have obtained a transporter permit or be an employee of the permit holder with your name and drivers license on file with the DMV.

Brokers and/or Internet Dealers/Wholesaler

Brokers and/or Internet Dealers/Wholesalers must comply with all current dealer requirements.

PENALTY

If you operate as a dealer, wholesaler, auto auction, or transporter without the proper license, you may be convicted of a misdemeanor and fined up to:

1. \$200 and/or imprisoned for up to 30 days for first offense.
2. \$1,000 and/or imprisoned for up to six (6) months for second offense.
3. \$10,000 and/or imprisoned for up to two (2) years for third and subsequent offenses.

HOW TO APPLY

Before beginning business operations as a dealer or wholesaler, you must pay all required fees to the Department of Motor Vehicles. Depending upon the type of license you require and whether you have been licensed before, your licensing requirements may differ.

INITIAL/NEW DEALER LICENSE APPLICATIONS

To obtain any type of dealer or wholesaler license, you must complete all required applications and pass an inspection by the Department of Motor Vehicles' Dealer Licensing and Audit Unit. As a first-time applicant or wholesaler changing to a retail dealer license you must, submit the following documents:

- DMV Form DLA-1, "Application for Dealer or Wholesaler License"
- DMV Form DLA-1B, "Motor Vehicle Dealer and Wholesaler Surety Bond" with an appropriate power of attorney
- Certificate of Completion from an approved eight (8) hour dealer pre-licensing class

No fees are required when submitting your application. Your application and documents must be presented or mailed to the address below:

**South Carolina Department of Motor Vehicles
Dealer Licensing and Audit Unit
P.O. Box 1498
Blythewood, SC 29016-0023
For questions, call (803) 896-2611**

Application

DMV Form DLA-1, "Application for Dealer or Wholesaler License" is the application to complete for a dealer or wholesaler license. You must indicate the type of business you intend to operate, the address of your dealership and information regarding your employees. The application also requires you to provide estimates regarding the number of vehicles you expect to sell during the first year of operation.

Surety Bond

DMV Form DLA-1B, "Motor Vehicle Dealer and Wholesaler Surety Bond" insures that every dealer or wholesaler applicant furnishes a surety bond. The amount of the bond varies depending on the type of dealer or wholesaler (see DMV form DLA-1B for details). You must submit your original Surety Bond and Power of Attorney with DMV Form DLA-1, "Application for Dealer or Wholesaler License" at the time of your application. The purpose of the bond is to provide indemnity for loss or damage caused an individual due to fraud or fraudulent representation in relation to a sale or transfer of a motor vehicle by a licensed dealer, wholesaler, or their employees.

Your bond must be in effect before the DMV will issue a license to you. The owner, partner, or corporate officer of the dealership must sign the surety bond. If you should change your bonding company, you must mail a new surety bond and Power of Attorney to the Dealer Licensing and Audit Unit as indicated below:

South Carolina Department of Motor Vehicles
Dealer Licensing and Audit Unit
P.O. Box 1498
Blythewood, SC 29016-0023

DEALER PRE-LICENSE COURSE

Certificate of Completion from an Approved Eight (8) Hour Dealer Pre-licensing Class. (Note: Franchised dealers, wholesalers, auto auctions, and motorcycle dealers are exempt from the pre-license course.)

INFORMATION CHANGES

Any changes in the information provided on your application (DMV Form DLA-1, "Application for Dealer or Wholesaler License") must be reported to the SCDMV Dealer License & Audit Unit within 30 days, along with a new surety bond or a rider. If you move your dealership to a new location, change the name of the business, change ownership or change your status from a wholesaler to a dealer, you must complete and submit a new application. In the event you cease operating as a dealer or wholesaler, you must notify the DMV within 10 days and return your dealer or wholesaler license as well as any dealer plates issued to you.

INITIAL INSPECTION

Once your application is processed by the Dealer Licensing and Audit Unit, a DMV agent will contact you to schedule an initial inspection of your place of business. During this inspection, the DMV agent will determine whether or not your place of business and operational procedures qualify you as a motor vehicle dealer. Depending upon your status as a dealer or wholesaler, certain requirements must be met for you to pass the inspection (see Sections 1-8 and 1-9 Dealership Requirements).

Once the inspection is completed, you will be notified within 10 working days whether your license is approved or disapproved. If disapproved, you may request an administrative hearing to contest the DMV's action. See Section V of this manual on how to request an administrative hearing.

If you have multiple locations, you must apply for a separate license and have a separate surety bond for each location.

RENEWAL APPLICATIONS

Your dealer license expires 12 months from the month of issue, except travel trailer dealer licenses, which expire on December 31. To renew your dealer or wholesaler license, you must complete and submit the following documents to a local DMV field office:

- **DMV Form DLA-1, “Application for Dealer or Wholesaler License”,**
- **DMV Form DLA-1C, “Certification of Vehicles Sold by Dealer”** (required if purchasing dealer plates.)

Dealers may substitute another form to certify sales. However, the identical information that the DMV requires must be indicated. The DMV reserves the right to authorize other certifications.

Individual bills of sale or other individual documents will not be accepted.

(Note: If you purchased a new surety bond since your last application, you must submit your original bond and Power of Attorney when you renew your license at your local DMV Field office.

Inspections for Renewals

Some applicants require facility inspection prior to renewal. The following criteria determine whether or not an inspection is required for a renewal applicant:

1. The dealer or wholesaler license has been expired for more than 90 days;
2. The status of the license has changed (wholesaler to retail dealer or vice versa);
3. The name and/or address of the dealer or wholesaler changed;
4. The ownership or location changed.

(NOTE: If any of these changes occur, you must contact the Dealer Licensing and Audit Unit at 803-896-2611.)

TIPS TO REMEMBER...

- ◆ The name and address on your surety bond must match the name and address on your application.
- ◆ The names, addresses, and driver's license numbers of all your employees must be furnished on the reverse side of your application. If additional space is needed, please attach a separate sheet of paper.
- ◆ Prior to moving or changing the name of your dealership, a DMV agent must inspect your new location before a new license can be issued.
- ◆ If you have been assigned a new address by the 911 system or post office, you must submit a new application, letter from the Post Office and an address change rider from your bond company.
- ◆ If you are applying for a retail license, you must provide your South Carolina sales tax number.
- ◆ If you are applying for a wholesale only license, you must provide your South Carolina Sales Tax exempt number..
- ◆ You should submit only original documents for processing.
- ◆ Before you apply for a dealer license, you must file articles of authorization with the S. C. Secretary of State. Example: "Inc" or "LLC."

DEALERSHIP REQUIREMENTS

Certain criteria must be met for your business to operate legally in South Carolina. Your Dealer Agent can explain the requirements and offer suggestions.

BUILDING REQUIREMENTS

Building Structure (Not Required for Wholesalers)

As a motor vehicle dealer, you must maintain a bona fide established place of business that is a permanent enclosed structure or building. Your building, whether a permanent structure or mobile home, must have at least 96 square feet of floor space. The structure cannot be a residence, tent, temporary stand or other temporary quarters. The building also must be easily accessible to the public. The principal business conducted in the building by the dealer (except motorcycle dealers) must be the selling or exchanging of vehicles. Your records, files, and books shall also be maintained and housed in this structure. Businesses must post the days and hours of operation.

Sign (Not Required for Wholesalers)

Your business location must display a permanent sign with lettering that is at least six inches (6") in height. Your sign must be clearly legible from the nearest avenue of traffic, and must clearly identify your business.

Lot (Not Required for Wholesalers)

As a dealer, you must have a reasonable area and/or lot to properly display motor vehicles. Reasonable area is defined as a 2,000-square-foot minimum, excluding alleys and driveways. The total area may include a display area and lot located at the same address. Dealers are encouraged to contact the Dealer Licensing and Audit Unit at (803) 896-2611 to discuss facility requirements.

Zoning and Business License Regulations

Dealers should research and comply with all local zoning and business license regulations.

Garage Liability Insurance

You must obtain garage liability insurance prior to applying for dealer demonstration plates. Upon cancellation of garage liability insurance, you will be required to surrender dealer plates to your local DMV. If you decide to operate your business without dealer plates, obtaining garage liability insurance is optional. **(NOTE: Dealers may discuss any potential issues with their respective dealer agents by contacting the Dealer Licensing and Audit Unit (803) 896-2611.)**

DISPLAYING YOUR DEALER OR WHOLESALER LICENSE

Once you receive your dealer license, you must display it in a prominent place in your business.

BUYER'S GUIDE

Federal law requires that every used vehicle for sale on a dealer lot must have a completed "Buyer's Guide Form" in the window. This form indicates whether the used vehicle is being sold

under warranty or "As Is" without a warranty. When the vehicle is sold, one copy of the form must remain with the dealer's records and another copy must be given to the customer buying the vehicle. The purchaser should sign both copies. This requirement protects dealers and customers from any misunderstandings. A "Buyer's Guide" must be signed by both parties to be enforceable.

RECORDS

Every dealer is required to keep complete records of each sales transaction at the licensed location. These records must be maintained for four (4) years from the date of the transaction. To be accurate and complete, these records must reflect the following on all incoming and outgoing documents:

1. The correct name and address of the buyer and seller of the vehicle.
2. The correct date of the transaction.
3. A correct description of the vehicle, which includes the vehicle identification number, year, make, model, and body type.
4. The Federal Odometer Disclosure Statement; the odometer reading at the time the vehicle was transferred to and from the dealer or wholesaler.

The DMV requires that these records be available for inspection and duplication by a DMV agent during normal business hours at all reasonable times. Your records must be maintained in a reasonably organized and orderly manner. All entries must be legible upon inspection. If your records are not kept in this fashion, you could receive a sanction from the DMV. Any dealer or wholesaler who fails to keep the required records or fails to make them available upon inspection is guilty of a misdemeanor. Upon conviction, the dealer or wholesaler may be fined up to \$200, imprisoned for up to 30 days and/or lose his or her dealer license.

SOUTH CAROLINA DEPARTMENT OF CONSUMER AFFAIRS

All businesses including Motor Vehicle Dealers that extend credit to consumers and have gross sales in excess of \$150,000 are required to file a "Consumer Credit Grantor Notification" form with the South Carolina Department of Consumer Affairs (SCDCA). Additionally, all businesses, including Motor Vehicle Dealers, that impose a finance charge on credit sales or consumer loans in excess of 18% APR must file a Maximum Rate Schedule with the SCDCA. Also, every Motor Vehicle Dealer charging closing fees on a Motor Vehicle sales contract shall pay a one time registration fee of ten dollars (\$10.00) during each state fiscal year (July - August 31).

For more information contact:
South Carolina Department of Consumer Affairs
3600 Forest Drive, Suite 300
P.O. Box 5246
Columbia, South Carolina 29250
Website: www.sccoconsumer.gov
(Forms available on Web)
or call (803) 734-4200

SOUTH CAROLINA DEPARTMENT OF REVENUE

You can register for the most common state business taxes by completing Form SCTC-111, Business Tax Application, which can be obtained from the Department of Revenue (DOR) website at www.sctax.org or by calling DOR's Forms Office at (803) 898-5599. You can use this

form to register for a retail license, a purchaser's certificate of registration, solid waste tax, business personal property tax, and income tax withholding.

\$300 MAXIMUM TAX

A maximum sales tax of \$300 is imposed on the sale or lease of motor vehicles, boats, aircraft, motorcycles, trailers or semi-trailers pulled by a truck tractor, horse trailers, recreational vehicles and certain self-propelled light construction equipment. For more information on the maximum tax, please contact the DOR Sales Tax Department at (803) 898-5800.

SALES OF MOTOR VEHICLES TO NON-RESIDENTS

Sales of new or used motor vehicles, trailers, semi-trailer and pole trailers to residents of another state are taxed at the rate imposed by the purchaser's state of residence. The tax cannot exceed the \$300 maximum tax imposed by South Carolina.

For South Carolina sales tax purposes, sales tax due on a sale to non-residents of new or used motor vehicles, trailers, semi-trailers, and pole trailers that are registered and licensed in the purchaser's state of residence are taxed at the lesser of the following:

1. Sales tax that would be imposed on the purchaser's state of residence, or
2. Tax that would be imposed under Chapter 36 of the South Carolina Code of Laws

No sales tax is due in South Carolina if a non-resident purchaser cannot receive credit in their resident state for sales tax paid to South Carolina. Form ST-385, Vehicle Affidavit for Nonresident must be completed on each vehicle sold to a non-resident.

For more information pertaining to taxes, visit the Department of Revenue's home page on the Internet at www.sctax.org. Tax laws, regulations, policy documents, publications, forms, electronic services, various links and attorney general opinions may be found there.

SALES TAX

As a retail dealer, you must collect sales tax on any sale. You can obtain your required sales tax number from the Department of Revenue. For each sale, you should complete DMV Form 400, "Application for Certificate of Title and Registration for Motor Vehicle or Manufactured Home/Mobile Home," and indicate your dealer license number and sales tax number.

DEALER PLATES

Once you become a licensed dealer or wholesaler, you may purchase dealer (demonstration) plates from your local DMV. The purchase and use of these plates are limited as listed below:

QUALIFYING FOR DEALER PLATES

To be eligible to purchase dealer plates, you must:

1. Be a licensed South Carolina dealer or wholesaler;
2. Furnish proof of garage liability insurance; and
3. Document the number of vehicles sold in the previous year on DMV Form DLA-1C, "Certification of Vehicles Sold by Dealer."

If a dealer has been in business one year, s/he may purchase dealer plates based on the number of vehicles sold in the preceding 12 months. (**Example:** The first 20 vehicles sold, you may purchase 2 dealer plates; for each 15 additional vehicles you sell beyond that number, you may purchase 1 additional plate.) This formula will vary depending upon the type of dealer plate you purchase. (**NOTE: Issuance of dealer plates to new dealers will be based on estimated sales.**) The table below lists the types of dealer plates available:

DEALER TYPE	DEALER PLATE INFORMATION	SPECIAL RESTRICTIONS (OTHER RESTRICTIONS LISTED BELOW)
Auto, Motorcycle or Travel Trailer/Camper/RV, Dealers and/or Wholesalers	2 plates may be purchased after 20 sales. 1 additional plate may be purchased for each 15 sales. No maximum limit on purchase.	Dealers are restricted from carrying cargo. Purchasers may carry cargo for up to 7 days with a demo certificate.
Heavy Trucks	No minimum sales required. No maximum limit on purchase.	May only be used on heavy trucks (16,000 lbs. or greater.) Dealers are restricted from carrying cargo. Purchasers may carry cargo for up to 3 days with a demo certificate.
Antique Dealer	Plates may be purchased after 5 sales. Purchases are not restricted by formula. No maximum limit on purchase.	May only be used on antique vehicles (30 years old or older).
Wholesale Auto Auction	2 plates may be purchased after 20 sales. 1 additional plate may be purchased for each 50 sales. Maximum limit is 75 plates.	Use to transport vehicles in the course of doing business.

Dealer plates cost \$20 per plate. Dealer plates are for demonstration vehicles. They cannot be used on wreckers, rollbacks, leased, rented, or service vehicles. The vehicle (except heavy trucks) cannot perform a commercial service.

The transfer of ownership between the same individual or corporation more than once is considered one sale. Multiple transfers of motor vehicles between dealers for the purpose of meeting eligibility requirements are prohibited.

DEALER PLATE RESTRICTIONS

The use of dealer plates is limited to vehicles that are:

1. Owned by the dealership;
2. Assigned to the dealership; and
3. Issued to prospective buyers for test-driving purposes.

Vehicles equipped with dealer plates may be driven on South Carolina highways by owners, employees, and dealership corporate officers.

Employees, owners, and agents who drive or may drive dealer-owned vehicles using dealer plates must be listed on the dealer license application. If personnel changes occur that affect the listing, the DMV must be notified immediately by fax or in writing. Dealer employee revisions must include the following:

- dealer's name and dealer number;
- name of employee to be added or deleted along with the employee's address;
- employee's driver's license number; and
- signature of the shareholder of the dealership.

Prospective vehicle buyers may also drive motor vehicles with dealer plates while test-driving. If you choose to allow your customers to drive a vehicle, you must provide them with a completed DMV Form MV-38, "Motor Vehicle Demonstration Certificate," or DMV approved equivalent. Prospective buyers are limited to driving vehicles with dealer plates up to seven (7) days.

When demonstrating or test driving heavy-duty trucks 16,000 GVW or greater, the prospective buyer may use the truck to carry merchandise or cargo for up to three (3) days with a special heavy-duty dealer plate. You must provide the customer with a completed DMV Form MV-38, "Motor Vehicle Demonstration Certificate."

PENALTY

Any person who misuses a dealer license plate may be fined \$300, required to forfeit the plate and/or lose his or her dealer license.

TEMPORARY TAG LAW

A dealer of new or used vehicles should issue to the purchaser of a vehicle at the time of its sale a temporary license plate that must contain the following:

1. A rectangular box with a white background on the bottom of the plate in dimensions of not less than six inches (6") wide and two (2") inches high.
2. The rectangular box must contain, in characters not less than one-quarter ($\frac{1}{4}$) inch wide and one-and-one-half ($1\frac{1}{2}$) inches high, the expiration date of the period within which the purchaser must register the vehicle.
3. The expiration date, which must be written using a permanent black marker with at least a one-quarter ($\frac{1}{4}$) inch wide tip. It must contain a numerical month, date, and year.

(NOTE: Temporary tags must be dated 45 days from the purchase date.)

The temporary license plate must be made of heavy stock paper or plastic, inscribed with contrasting indelible ink and designed to resist deterioration or fading from exposure to the elements during the period the tag is displayed. The plate must contain the dealer's name, city, and phone number, or the dealer's name and computer website address. Expiration date should be legible from a distance of 25 feet.

The "Bill of Sale," title or a copy of one of the two (2) documents must be maintained in the vehicle at all times to verify the vehicle's date of purchase to a law enforcement officer. The "Bill of Sale," title or a copy of either document must contain:

1. a description of the vehicle;
2. the name and address of both the seller and purchaser of the vehicle; and
3. the date of sale.

A dealer may issue a temporary license plate only to a purchaser of a vehicle and may not use a temporary license plate for any other purpose. A dealer who issues a temporary license plate or allows a temporary plate to be issued and violates this law is guilty of a misdemeanor and, upon conviction, must be fined \$100 for each occurrence. S/he also may receive sanctions against his or her dealer license.

TRANSFERRING TAGS

South Carolina law allows owners of vehicles to transfer license plates from one vehicle to another. If a person intends to transfer a license plate from one vehicle to another vehicle, s/he may place the license plate to be transferred on the newly acquired vehicle on the date of purchase. The "Bill of Sale" for the new vehicle and a copy of the registration that corresponds to the license plate must be maintained in the new vehicle at all times to verify its date of purchase to a law enforcement officer.

The purchaser must register the vehicle with the DMV within 45 days from its purchase date. A person who transfers a license plate or allows a license plate to be transferred and violates this law is subject to the vehicle registration and licensing provisions of the law. Effective March 1, 2006, a consumer may transfer a license plate only to a specific vehicle one (1) time without paying additional property taxes.

NOTES

SECTION II

TITLING AND REGISTERING VEHICLES

SOUTH CAROLINA REQUIREMENTS

As a dealer, you may provide registration services to your customers. If you choose to provide these services, you must have a good understanding of South Carolina requirements. Errors can cause more work for you, as well as delays for your customer.

A South Carolina resident who purchases a new or used vehicle must obtain a South Carolina title and registration within 45 days of purchasing the vehicle. This time limit is the same whether customers are purchasing new license plates or transferring old ones. If you choose to process the title or registration for your customer, you must deliver the title or registration to the customer within the same 45-day period.

You may give the title and all the necessary documentation required to title the vehicle to the purchaser. **If you give your customer the title and other necessary documents, it is important that you maintain a “customer-signed receipt” specifying the customer accepts responsibility for titling and registering the vehicle. This receipt will verify you have complied with the law requiring that the title be delivered within 45 days. You must also maintain copies of all documents surrendered to the customer since customers will sometimes lose their records.** Providing these documents to the customer is considered the same as delivering the title.

For a financed sale, you must have the new owner's name and lien information recorded on the title and DMV Form 400, “Application for Certificate of Title and Registration for a Motor Vehicle or Manufactured Home/Mobile Home.”

Valid license plates that will not be transferred should be returned to the DMV immediately or on the same day of insurance cancellation. Customers who return their plates to the DMV will receive a receipt and may request a prorated refund if their plates are still valid for more than 12 months. If the vehicle is sold or used as a trade-in, county property taxes may also be refunded by the county treasurer's office.

Specific information is required for titling and registering new and used vehicles. As a dealer, you should be aware of the documents you need, as well as the requirements and fees for each type of transaction. If your dealership helps customers finance their newly purchased vehicles, customers may ask you to include the sales tax, title, and tag in the total financial agreement for the vehicle. Having that knowledge helps you help your customer.

TYPES OF TITLES & MANUFACTURER'S CERTIFICATE OR STATEMENT OF ORIGIN

SOUTH CAROLINA CERTIFICATE OF TITLE

A title is issued to an individual vehicle owner. When a vehicle is sold, the seller must provide the title and the title must be submitted to the DMV before a new title can be issued to the buyer. The back of the title must be completed and properly assigned to the buyer. If the title was issued before June 19, 1989, DMV Form 4031, "Secured Bill of Sale," or a Property Tax Odometer (PTO) Form must also be submitted, indicating the sale price of the vehicle and odometer information. Certificates of Title issued after June 19, 1989 include an area on the back of the form to list odometer information. If the vehicle owner's title is lost, the owner must obtain a duplicate title from the DMV. The DMV will not accept the title if you erase or "white out" any portion of the form.

OUT-OF-STATE TITLE

An out-of-state title is a legal document created by a state other than South Carolina. It lists the ownership and vehicle information. An out-of-state title is used to issue a South Carolina title to a vehicle entering South Carolina from another state. The vehicle could have been purchased by a South Carolina resident from an out-of-state dealer or individual, or it could be a vehicle owned by a new South Carolina resident. In combination with this title service, a new license plate can be issued or a plate can be transferred.

MANUFACTURER'S CERTIFICATE OF ORIGIN (MCO) OR MANUFACTURER'S STATEMENT OF ORIGIN (MSO)

The Manufacturer's Certificate of Origin (MCO) or Manufacturer's Statement of Origin (MSO) is a document issued by the manufacturer recording the first transfer of the vehicle from the manufacturer to the dealer or distributor. The MCO or MSO lists the vehicle identification number, vehicle description, and the dealer or distributor receiving the vehicle.

TRUTH IN MILEAGE REGULATIONS

The odometer mileage statement on South Carolina Certificates of Title issued after June 19, 1989, meets the Truth in Mileage standard. Certificates of Title issued before that date do not meet the Truth in Mileage standard. The odometer statement must be given for every vehicle.

The first assignment of a Certificate of Title must now be completed by the owner on the title document itself. A separate secured assignment will not be accepted.

Exceptions were written into the regulations for those persons signing the Certificate of Title using DMV Form 5047, Secured Power of Attorney – Odometer Disclosure. This form is only used by dealers, wholesalers, auto auctions and insurance companies when the buyer and the seller are one and the same. The Secured Power of Attorney – Odometer Disclosure can only be used:

- if the Certificate of Title is being held for a lien; and
- if the Certificate of Title is lost and a duplicate is needed.

In addition to stating the odometer reading at the time of sale, the odometer statement is a certification by the seller of the vehicle to the buyer that to the best of his or her knowledge:

- the odometer reading reflects the actual mileage;
- the odometer reading reflects the amount of mileage in excess of the vehicle's mechanical limits; or
- the odometer reading is not the actual mileage.

Dealers should follow the instructions listed on the back of the DMV form 5047. Odometer fraud is a violation of both state and federal law.

STATE AND COUNTY TAXES

SALES TAX

In South Carolina, the law requires that everyone, including individuals, pay sales or excise tax on every motor vehicle or motorcycle for which a new South Carolina Certificate of Title is issued. Sales tax is due when the vehicle is sold to a consumer. The amount of the tax is five percent (5%) of the fair market value, or total purchase price, of the vehicle. However, the amount cannot exceed \$300. For out-of-state sales, you must complete Form ST-385, Department of Revenue Affidavit, and collect sales tax up to \$300 if the state charges sales tax and has a reciprocity agreement with South Carolina. For further information regarding sales taxes, contact the South Carolina Department of Revenue at (803) 898-5800 or in writing to 301 Gervais Street, Columbia, SC 29214.

PERSONAL PROPERTY TAX

In South Carolina, counties must receive yearly property tax payments for vehicles before registrations and decals can be issued.

PURCHASING NEW PLATES

As a dealer in South Carolina, you have the option of giving your customers extra time to pay their property taxes for vehicles purchased by South Carolina residents by completing DMV Form 4031 Bill of Sale Form with a Property Tax Odometer (PTO) section. This form will defer the property tax on the vehicle for 120 days. The DMV does not provide Property Tax Odometer (PTO) Forms. To order Bill of Sale Forms with a Property Tax Odometer (PTO) section, contact the Carolinas Independent Automobile Dealers Association (CIADA) by calling 1-800-432-4232.

You must disburse the above copies in the following manner:

1. keep a copy for your files;
2. give one copy to the customer; and
3. send the top copy (secured sheet) and the pink copy to the DMV along with the title and registration paperwork.

Please note that this extension for the payment of property taxes does not apply to the titling and registration of vehicles. Vehicles must still be titled and registered in South Carolina within 45 days from the date of purchase.

TRANSFERRING PLATES

Customers who transfer a license plate from one vehicle to a newly purchased vehicle are not required to pay property taxes at the time of the transfer. They will be billed by their county treasurer's office when the taxes are due again. Any person who willfully or knowingly makes a false statement for the purpose of avoiding any tax is guilty of a misdemeanor in this state and may be fined up to \$3,000 and/or imprisoned for up to one (1) year.

OUT-OF-STATE BUYERS

An out-of-state customer who purchases a vehicle in South Carolina has different titling and registration needs. To provide better customer service, you should be aware of the options available to you and your customers.

TEMPORARY PLATES

Many states do not allow new vehicles to be driven on the road without proper registration or tags. In these states, the proof of purchase paperwork and a dealership paper tag is not enough. They require official registration.

In South Carolina, the law allows for this instance and offers the customer a temporary plate and registration through the DMV. As a dealer, you have the option of processing this paperwork for your customer just as you would process South Carolina title and registration paperwork, or you may purchase temporary license plates from the DMV and issue them from your office.

The temporary plate and registration is good for 30 days and may be used to transport the vehicle back to the customer's resident state. You can issue these plates only to customers who purchased their vehicles from you and who will be permanently licensing their vehicles in another state. The plate is not transferable to any other person or vehicle.

South Carolina law requires that you maintain a permanent record of all the temporary plates and registrations you issue. Each record should be kept for at least one (1) year from the date of issue. If you choose to issue the plates and registrations from your dealership, you should request the following form from the DMV:

- DMV Form 433, 30-Day Temporary Plate Registration

If you do not wish to issue these plates from your place of business, you may inform your customers of the proper procedures and refer them to your local DMV branch office.

PENALTY

Any person found guilty of the misuse of a temporary license plate or permit is guilty of a misdemeanor in this state and may be fined up to \$200 and/or imprisoned for up to 30 days.

WORKING WITH OTHER STATES

If your place of business is located near the state line, you may have more out-of-state purchases than other dealerships. If this is the case, you may wish to contact the other state and find out more about their titling and registration procedures. You may be able to prepare the paperwork from that state for your customer.

COURTESY VEHICLES

A South Carolina resident can purchase a vehicle from an out of state dealer, who will be responsible for transporting the vehicle to a S. C. dealer so that the customer can pick the vehicle up from a local dealership.

SC Code of Law §2-37-2610 allows the use of a property tax odometer (PTO) form for this situation, and states that taxes are not due on these vehicles for 120 days. When this type of transaction occurs, the dealer should write on the PTO form "courtesy delivery" so that DMV and the County will know that the owner has 120 days to pay his/her property taxes.

Courtesy deliveries DO NOT require a paid tax receipt, provided that the PTO clearly indicates "courtesy delivery." In addition, courtesy deliveries are also subject to the same requirements for use tax as other out of state sales: the owner must show that sales tax has already been paid, or that the out of state dealer has a S. C. sales tax number, OR that the vehicle is exempt from sales taxes in S. C. If the owner does not meet one of these requirements, DMV will collect any S. C. use tax due.

TIPS TO REMEMBER WHEN TITLING AND REGISTERING VEHICLES:

- Use clear and legible handwriting. If rubber stamps are used, they must be properly aligned.
- Properly assign the back of the title.
- Type within the spaces provided on DMV Form 400, Application for Certificate of Title and Registration for Motor Vehicle or Manufactured Home/Mobile Home – not on the lines.
- Verify that the information on DMV Form 400, Application for Certificate of Title and Registration for Motor Vehicle or Manufactured Home/Mobile Home, and the title match.
- Verify the vehicle identification number on the vehicle against the number on the title.
- Verify the owner's name and signature.
- Before choosing an option, read the instructions on the odometer statement carefully on DMV Form 400, Application for Certificate of Title and Registration for Motor Vehicle or Manufactured Home/Mobile Home.
- Properly complete all lien information.
- Abbreviate the owner's address on the form if it is more than 30 characters long.
- Provide the correct dealer and sales tax number.

Title and Registration Documents Required for Various Transactions

SCENARIO	TYPE OF TRANSACTION	DOCUMENTS REQUIRED
A S.C. resident purchases a brand new vehicle from a S.C. dealer.	Title with New Registration	<ul style="list-style-type: none"> ▪ DMV Form 400 ▪ MCO (Manufacturer's Certificate of Origin) or MSO (Manufacturer's Statement of Origin) ▪ PTO (Affidavit & Notification of Sale of Motor Vehicle)
A S.C. resident purchases a used vehicle previously titled and registered in another state.	Title with New Registration	<ul style="list-style-type: none"> ▪ Form 400 ▪ Out-of-State Title ▪ PTO (Affidavit & Notification of Sale of Motor Vehicle)
A S.C. resident purchases a used vehicle previously titled and registered in South Carolina.	Title with New Registration	<ul style="list-style-type: none"> ▪ Form 400 ▪ S.C. Title ▪ PTO (Affidavit & Notification of Sale of Motor Vehicle)
A S.C. resident purchases a brand new vehicle from a S.C. dealer.	Title with a Transfer Plate	<ul style="list-style-type: none"> ▪ DMV Form 400 ▪ MCO (Manufacturer's Certificate of Origin) or MSO (Manufacturer's Statement of Origin) ▪ PTO (Affidavit & Notification of Sale of Motor Vehicle) ▪ Valid License Plate
A S.C. resident purchases a used vehicle previously titled and registered in another state.	Title with a Transfer Plate	<ul style="list-style-type: none"> ▪ DMV Form 400 ▪ Out-of-State Title ▪ PTO (Affidavit & Notification of Sale of Motor Vehicle) ▪ Valid License Plate

SCENARIO	TYPE OF TRANSACTION	DOCUMENTS REQUIRED
A S.C. resident purchases a used vehicle previously titled and registered in South Carolina.	Title with a Transfer Plate	<ul style="list-style-type: none"> ▪ DMV Form 400 ▪ S.C. Title ▪ PTO (Affidavit & Notification of Sale of Motor Vehicle) ▪ Valid License Plate
A S.C. resident purchases a used vehicle previously titled and registered in another state.	Title with Transfer & Replace Plate	<ul style="list-style-type: none"> ▪ DMV Form 400 ▪ Out-of-State Title ▪ PTO (Affidavit & Notification of Sale of Motor Vehicle) ▪ Form 452 (Lost/Stolen or Destroyed License plate Affidavit Form)
A S.C. resident purchases a used vehicle previously titled and registered in South Carolina.	Title with Transfer & Replace Plate	<ul style="list-style-type: none"> ▪ DMV Form 400 ▪ S.C. Title ▪ PTO (Affidavit & Notification of Sale of Motor Vehicle) ▪ Form 452 (Lost/Stolen or Destroyed License plate Affidavit Form)
A S.C. resident wants to purchase a vehicle and wants to trade in the currently owned vehicle. The customer has lost the S.C. title.	Duplicate Title	<ul style="list-style-type: none"> ▪ DMV Form 400 ▪ Satisfaction of Title Lien form (if applicable)

ELECTRONIC VEHICLE REGISTRATION (EVR) PROGRAM

The South Carolina Electronic Vehicle Registration (EVR) Program allows authorized business partners to apply for registrations and titles electronically. The EVR system is supplied through a Service Provider (third party) who works with the DMV to provide licensed South Carolina auto dealers with a computer-based system that provides the ability to register and title vehicles by electronic means. The DMV provides dealer/business partners with materials and authorization to process customers' vehicle registrations and make initial applications for their vehicle titles. This allows an auto dealer/business partner to register the vehicle and put it on the road with valid registration in the same day, which minimizes the need for temporary plates.

With EVR, everyone is a winner. Dealers and other partners win because they save time and money; customers win because they get one-stop shopping without the wait for registration and title application processing. DMV wins because customers can be served efficiently.

Some of the requirements to participate in the EVR program are as follows:

- the dealer must be in active licensed status with the DMV;
- The dealer must have and maintain a sales volume of 420 units per year;
- The dealer must agree to process a minimum of 90% of his or her eligible transactions through the EVR program; and
- The dealer must maintain an error ratio of no more than 2%.

For further information related to this program, you may review the SCDMV Electronic Vehicle Registration Program Standards at www.scdmvonline.com or contact the service provider listed below:

Computerized Vehicle Registration (CVR) at www.cvrreg.com or 1-800-333-6995.

NOTES

SECTION III

DEALER AUDITS AND INSPECTIONS

DEALER LICENSING AND AUDIT UNIT

The DMV is responsible for all dealer and wholesaler licensing and inspections. The Dealer Licensing and Audit Unit has been appointed to carry out this statewide responsibility for the DMV.

DMV dealer agents that are located and assigned throughout the state conduct the majority of dealer audits and inspections. However, other authorized agents may also conduct inspections and will have proper credentials to identify themselves to you. DMV dealer agents conduct initial inspections for new dealers and wholesalers, investigate customer complaints against dealers and wholesalers, and conduct random audits of dealers and wholesalers on a routine basis or as necessary.

Should you have questions or concerns about proper procedures or legal requirements, you may contact the DMV Dealer Licensing and Audit Unit by dialing (803) 896-2611. Someone from the DMV Dealer Licensing and Audit Unit can also identify and supply you with the phone number for your local dealer agent.

PRE-LICENSING INSPECTION

After preliminary processing of your application for a dealer or wholesaler license, a DMV dealer agent will contact you to schedule your first inspection. During this inspection, s/he will determine whether your place of business and operational procedures qualify you for the license you have applied for. When inspecting your place of business, the DMV dealer agent will complete DMV Form DLA-2, Licensed Dealer Auditors Report, discuss the findings with you, and recommend to the DMV that your license be approved or disapproved, and the reason(s) for the approval or disapproval. Regardless of the outcome, you will be provided with a copy of DMV Form DLA-2, Licensed Dealer Auditors Report detailing the result of the inspection and any deficiencies indicated. If you are disapproved and wish to continue with the application process, you may make the appropriate improvements and request that your dealership be re-inspected; you may also appeal the disapproval by requesting an administrative hearing. See Section V of this manual on how to request an administrative hearing.

After you pass your inspection, you will receive an official correspondence from the DMV indicating how to proceed with your license purchase.

DEALER LICENSE INSPECTION CRITERIA

Refer to Section I, DEALERSHIP REQUIREMENTS for detailed requirements.

During the initial inspection, the DMV dealer agent will inspect your business for the following:

- ◆ proper building structure;
- ◆ proper signage; and
- ◆ proper lot

TIPS TO REMEMBER:

Your place of business will not pass inspection, if the DMV dealer agent finds any of the following:

- ◆ you do not have a bona fide place of business;
- ◆ your principal business is not buying, selling or exchanging vehicles (except motorcycle dealers);
- ◆ you do not have a building or your building does not meet the necessary qualifications;
- ◆ you do not have a sign or your sign does not meet the necessary qualifications;
- ◆ you do not have an adequate lot and/or display area to display your vehicles;
- ◆ your business is not located at the address on your application.

WHOLESALE INSPECTIONS

During the initial visit, the DMV dealer agent will inspect your business to ensure that you have an appropriate place to conduct business. You are not required to house your business in a separate structure or display your vehicles on an open lot, but you should have adequate space to conduct your business transactions.

TIPS TO REMEMBER:

Your place of business will not pass inspection if any of the following is found:

- ◆ you do not have a bona fide place of business;
- ◆ your business is not located at the address listed on your application.

DEALER AND WHOLESALER AUDITS

Dealer and wholesaler audits are conducted at random; you will not be notified when an audit is required of your place of business. When a DMV dealer agent arrives, you must give him or her complete cooperation. The agent understands your concerns and will do all that is possible to complete your audit in a timely and professional manner. The audit will follow a set pattern, and the DMV dealer agent should proceed in a similar manner as follows:

- The agent will show you his or her DMV credentials and inform you of the purpose of the visit.
- The agent will ask to see all titles on hand in your place of business. S/he may temporarily remove any open titles from your files to make the appropriate copies. Once copies are made, the original will be returned to the dealer. The agent may request a copy of any titles not assigned to your dealership and require them to be completed. Agents will issue a receipt for any and all items removed from your dealership.
- The agent will record dealer information such as the name of your business, owner, address, dealer type, dealer number, and the date of the audit.
- The agent will record the vehicle identification numbers of the vehicles on your lot and check your records to ensure that incoming documents related to each vehicle are maintained.
- The agent will review the records of vehicles sold since your last audit or inspection to determine whether proper incoming and outgoing records are maintained for each transaction.
- The agent will request that the dealer account for all demo plates. The agent may also verify the previous year's sales volume to justify the number of dealer plates obtained by the dealer.
- The agent will record garage liability insurance information if the dealer has dealer plates.
- The agent will record any violations found in your place of business.
- The agent will answer any questions you may have.
- The agent will advise you via DMV Form DLA-2, Licensed Dealer Auditors Report of his or her findings. However, any sanctions resulting from the audit will be issued from headquarters and delivered in written form.

(NOTE: A random audit or administrative investigation conducted in your place of business does not imply that you are suspected of any misconduct or wrongdoing.)

RECORD INSPECTIONS

Anytime a DMV dealer agent inspects or audits your place of business, a thorough review of your records will take place. It is important that you organize all of your records, ensure that they are legible, and maintain the proper supporting documents for your transactions.

South Carolina law requires that you maintain records on all transactions for four (4) years from the date of the transaction. All records must be kept at the licensed place of business and must be available during reasonable business hours. The agent will review your records for the following information:

Acquired Vehicles

1. The true name of the person or persons from whom the vehicle was acquired.
2. The correct and complete address of the person or persons from whom the vehicle was acquired.
3. The correct date of the transaction.
4. A complete description of the vehicle including the vehicle identification number, make, model, and type of vehicle.
5. The correct odometer statement. A copy of the statement received by the dealer must be kept. This copy could be on the back of the Certificate of Title, a Bill of Sale, or on a separate odometer disclosure statement.

Transferred Vehicles

1. The true name of the person or persons to whom the vehicle was transferred or sold.
2. The correct and complete address of the person or persons to whom the vehicle was transferred or sold.
3. The correct date of the transaction.
4. A complete description of the vehicle including the vehicle identification number, make, model, and type of vehicle.
5. The correct odometer statement. A copy of the statement received by the dealer must be kept. This copy could be on the back of the Certificate of Title, a Bill of Sale, or on a separate odometer disclosure statement.

All Transactions

Titles, bills of sale, odometer statements, and other documents containing the required information for each transaction.

Dealer Plates

1. The location of the dealer plates issued to the dealership.
2. Documentation of the correct use of dealer plates.
3. Verification of garage liability insurance.

TIPS TO REMEMBER:

Your cooperation is necessary to complete the inspection process. Failure to cooperate with the agent or produce the required records may result in sanctions being imposed against the dealership.

NOTES

SECTION IV

COMPLAINTS

COMPLAINT INVESTIGATIONS

DMV dealer agents also have authority to conduct administrative investigations resulting from complaints against dealers and wholesalers. In most cases, the type of complaint registered with the DMV determines the depth of the investigation. Customers registering complaints must complete DMV Form DLA-5, Dealer Complaint Form, and submit it to the Dealer Licensing and Audit Unit along with copies of any pertinent paperwork. DMV Form DLA-5 requires the name and address of the dealership, as well as that of any salesperson that may be involved. Customers are asked to provide a complete and thorough report of any incident or complaint.

If a DMV dealer agent is called to administratively investigate a complaint against your place of business, you may not receive any warning. Once the agent arrives, you will be informed of the complaint and asked to provide any information you have regarding the incident or complaint. You must cooperate with him or her fully. Your records must be at the disposal of the agent to ensure a thorough investigation.

After conducting an administrative investigation, the agent will complete DMV Form DLA-5A, Investigation of Complaint Regarding Dealer/Wholesaler. The Dealer agent will review any pertinent records involved or indicated in the complaint and may make copies of your records. The agent will attempt to answer any questions you may have and you will be informed of the results of the investigation at a later date. Any criminal violations of laws will be transferred to an appropriate law enforcement agency. Non-criminal issues not under the jurisdiction of the Department of Motor Vehicles will be forwarded to South Carolina Consumer Affairs or other appropriate agency.

NOTES

SECTION V

LEGAL SECTIONS

KNOW YOUR LEGAL RIGHTS

If you or someone employed at your place of business becomes the subject of an official complaint with the DMV or legal action in a court of law, you should be aware of your legal rights as a dealer. Knowing your options and possible penalties is vital.

In addition to the legal action someone can take against you in a court of law, a complaint can also be made against you with the DMV. In this case, the DMV will review the complaint and may begin an administrative process. Violation of law will be forwarded to the appropriate law enforcement agency. Complaints might not result in a lawsuit, but can still cost you time, money, and legal fees. You should be aware that if you are found guilty of any wrongdoing, your dealer or wholesaler license could be denied, cancelled, suspended, or even revoked.

DEALER VIOLATIONS

All South Carolina dealer and wholesaler licenses are subject to South Carolina laws. The DMV is responsible for administering these laws. Your license can be denied, suspended, cancelled, or revoked if the DMV determines you are responsible for doing any of the following:

- Making a material misstatement in the application for your license.
- Violating any provision provided for in South Carolina dealer laws.
- Being found by a competent court jurisdiction to have committed fraud connected with the sale or transfer of a motor vehicle.
- Employing fraudulent devices, methods or practices in connection with meeting the requirements placed on dealers and wholesalers by the laws of this state.
- Being convicted of any violation of law involving the acquisition or transfer of a title to a motor vehicle or any violation involving tampering with, altering or removing motor vehicle identification numbers or markings.
- Being found by a competent court jurisdiction to have violated any federal or state law regarding the disconnecting, resetting, altering or other unlawful tampering with a motor vehicle odometer.
- Refusing or failing to comply with the DMV's reasonable requests to inspect or copy the records, books, and files of the dealer or wholesaler.
- Failing to maintain records of each motor vehicle transaction as required by state and federal law pertaining to odometer records.
- Having given, loaned, or sold a dealer license plate to any person or otherwise allowing the use of any dealer license plate in any way not authorized by law.
- Improperly displaying a dealer plate on any vehicle or placing a dealer plate in the possession of any unauthorized person.
- Improperly using or issuing temporary license plates. A temporary license plate may be issued for a vehicle sold by the licensed dealer. The plate must contain the expiration date (45 days from the date of sale) and a bill of sale must be kept in the vehicle to indicate to law enforcement that it is a newly acquired vehicle.

DEALER SANCTIONS

The Department of Motor Vehicles may issue administrative sanctions against dealers or wholesalers determined to be in violation of South Carolina law or DMV policy relating to the buying, selling or trading of motor vehicles. Depending upon the severity and frequency of occurrences, the following sanctions will apply:

- Verbal Warning
- Written Warning, Level I or Level II
- Suspension (ranging from 7-30 days)
- Denial
- Cancellation
- Revocation

If as a result of a sanction(s), your dealer status is changed to any non-participating status; you will be notified in writing by the DMV and may contest that action by following the Administrative Hearing's process outlined in the next section. The statute of limitation for sanctions to remain in DMV files is three (3) years.

ADMINISTRATIVE HEARINGS

If your dealer or wholesaler license is denied, suspended or revoked by the DMV, you have the right to contest the action by requesting an administrative hearing.

The DMV will notify you in writing at your business or special mailing address of any intention to deny, suspend, or revoke your license at least 20 days prior to the date of the action. Within 10 days of receiving notice from the DMV, you may make a written request for a hearing. Your request for a hearing must be mailed to the address below along with a \$150 non-refundable filing fee.

**Division of Motor Vehicle Hearings
S.C. Administrative Law Court
Edgar A. Brown Building
1205 Pendleton Street, Suite 325
Columbia, SC 29201
(803) 734-3201**

The Division of Motor Vehicle Hearings has a similar name to the DMV, but is a separate agency administered by the Administrative Law Court to review these and other DMV determinations.

Failure to request a hearing within 10 days of notice makes the DMV's decision final. Upon the denial, suspension or revocation of a dealer or wholesaler license, the license and any dealer license plates issued must be returned to the DMV immediately if you do not contest the sanction through a hearing. The change in the dealer license status will take effect as previously stated in the correspondence sent to you.

If you contest the DMV's decision, your sanction will be stayed pending the outcome of the hearing; however, if the DMV finds that public health, safety, or welfare requires emergency action, your license may be suspended pending the hearing proceedings. Someone from the Administrative Law Court will notify you of the time and date of the administrative hearing at which you can present your case. Once the case has been heard, the Administrative Law Court will send you and the DMV Dealer License Unit written notification of the outcome. The notification will include the following:

- A statement of the time, place, and nature of the hearing.
- A statement of the legal authority and jurisdiction under which a hearing is to be held.
- A reference to the particular section of the statutes and rules involved.
- A short and plain statement concerning the basis of the matter.

Depositions

During the procedures, you or any party involved may request that depositions be taken from witnesses. These depositions will be taken in the same manner as those taken in civil lawsuits and the same rules apply. The opposing party will be notified of the deposition, and the deposition will be transcribed and certified. Unless precluded by law, informal depositions may be made in any contested case by stipulation, settlement, consent order, or default.

Subpoenas

The Administrative Law Court may issue subpoenas for the attendance and testimony of witnesses. These witnesses may be chosen to produce and examine books, papers, and records. If subpoenaed, these persons are subject to punishment for contempt of court if they fail to appear to give testimony or produce the required books, papers or records. Such subpoenas may be issued to the sheriff of a county in the form of a warrant requiring the arrest of a person who does not appear at a hearing.

Evidence and Arguments

All parties involved in a hearing will be given the opportunity to respond and present evidence and arguments regarding the issues involved. All findings of fact will be based exclusively on the evidence presented and on matters officially noticed. Records will be kept in all contested cases and shall include the following:

- All pleadings, motions, intermediate rulings, and depositions.
- Evidence received or considered.
- A statement of matters officially noticed.
- Questions and offers of proof, objections, and rulings.
- Proposed findings and exceptions.
- Any decision, opinion or report by the officer presiding at the hearing.
- Oral proceedings shall be transcribed at the request of any party at the expense of the party requesting the transcript. All hearings are tape recorded, and any party may have a court reporter present at their own expense.

Evidence presented in hearings is subject to the same rules as those in a court of law. These rules include the following:

- All irrelevant, immaterial or repetitious evidence will be excluded.
- Objections to evidence offered will be noted in the records.
- Documentary evidence may be received in the form of copies or excerpts if the original document is not readily available. Parties will be given an opportunity to compare the copies with the original upon request.
- Any party may conduct cross examination.
- Notice may be taken of judicial facts. In addition, notice may be taken of generally recognized technical or scientific facts within the DMV's specialized knowledge.

Decisions

Final decisions in contested cases will be issued in writing or stated in the records of the case. Findings of facts will be accompanied by a concise and explicit statement of the underlying facts supporting the findings. In some cases, the decision will include a ruling on each proposed finding. The parties involved will be notified either personally or by mail of any decision or order.

Unless required by law, members or employees of the presiding agency assigned to render a decision or make findings in a case will not communicate, directly or indirectly, with any person or party involved in the case. The only exception is when all parties are present.

Penalty

Any person violating the provisions of the law regarding communication between Department employees assigned to render decisions and parties involved in a case is guilty of a misdemeanor and may be fined up to \$250 or imprisoned for six (6) months.

Right to Appeal

If the Division of Motor Vehicle Hearings upholds the DMV's determination, and the dealer or wholesaler may have exhausted all administrative appeals to obtain or retain a license and still be denied, suspended, or revoked. If the dealer or wholesaler still does not agree with the ruling, s/he has the right to appeal to a court of competent jurisdiction (circuit court) within 30 days of the ruling from the administrative hearings office.

The dealer or wholesaler may also obtain a review of any final judgment of the circuit court with the South Carolina Supreme Court. The appeal will be taken as in other civil cases.

SECTIONS OF LAW REGULATING S.C. DEALERS

If you wish to review the laws as they are written, you may do so by visiting www.scdmvonline.com and clicking on "Links," followed by "S.C. Code of Laws" under the "State Links" heading.

1. Section 56-15-10 through 56-15-350, of the S.C. Code of Laws provides for the regulation and license of vehicle dealers and wholesalers.
2. Section 56-3-2320 of the S.C. Code of Laws provides for the issue and use of dealer and wholesaler plates.
3. Sections 56-16-10 through 56-16-210 of the S.C. Code of Laws provide for the regulation of motorcycle manufacturers, distributors, dealers and wholesalers.
4. Sections 56-15-510 through 56-15-600 of the S.C. Code of Laws provide for the regulation and license of wholesale motor vehicle auctions.
5. Section 56-3-2350 of the S.C. Code of Laws provides for the regulation and license of motor vehicle transporters.
6. Sections 56-10-10 through 56-10-20 of the S.C. Code of Laws provide for requirements for garage liability insurance.
7. Section 56-3-210 of the S.C. Code of Laws provides for regulations for the issuance of temporary tags.
8. Section 31-17-510 of the S.C. Code of Laws provides for the regulation and license of travel trailer dealers.

As a dealer or wholesaler, you should be aware of the laws and requirements affecting you, your manufacturer or distributor and your customers. These laws are meant to protect all parties involved in a motor vehicle transaction.

NOTES

SECTION VI

FORMS

COMMONLY USED DMV FORMS

Each required form serves a specific purpose for DMV and state records. If forms are not completed correctly, the paperwork for your transaction will be returned to you.

This section specifies the documents required to process title and registration transactions. (All dealer titling transaction packages must be signed in at a DMV branch office for completion. A branch office will not process more than three (3) title applications per visit per day.)

Commonly used forms that are covered in this section include the following:

- DMV Form 400, "Application for Certificate of Title and Registration for Motor Vehicle or Manufactured Home/Mobile Home"
- MCO, "Manufacturer's Certificate of Origin) or MSO (Manufacturer's Statement of Origin"
- OOS Title, "Out-of-State Title"
- South Carolina Title
- Property Tax Offset Form (Affidavit & Notification of Sale of Motor Vehicle)
- DMV Form 4031, "Bill of Sale"
- DMV Form 452, "Lost/Stolen or Destroyed License Plate Report Replacement Application"
- DMV Form 4057, "Application for Name and/or Address Change, Date of Birth and/or Social Security Correction, or Special Mailing"

Form 400 – Application for Certificate of Title and Registration

DMV Form 400 is an application that must be completed by the registrant to process name transfer from one owner to another.

Steps for completing Form 400. Make sure you use a paperclip to attach all documents to the back of the application. Do NOT staple. Identify the transaction by checking the appropriate box in the top section of the form.

Section 1 – Vehicle Information

- Vehicle Identification Number – Enter the complete VIN or serial number of the vehicle, which must match the titling documents.
- Make – Always use the manufacturer’s name (example: Ford, Chevrolet, etc.)
- Year Make – Enter the year the vehicle was manufactured, which appears on the titling documents.
- Body Style – Enter the body style of the vehicle being registered. (Example: 2dr, 4dr, wgn, etc.)
- Model – List the model name (example: Escort, Impala, etc.).
- Empty Weight – Enter the vehicle’s weight when applicable.
- GVW – Enter the total weight of vehicle and payload or the combined weight of tractor-trailer and payload when applicable. (**NOTE:** This information is required for trucks.)

Section 2 – Odometer Mileage

Enter the odometer mileage of the vehicle being registered. If DMV Form 400 is used to apply for a duplicate title; the CSR will assist you with the mileage. Do not enter tenths of miles.

Section 3 – Owner Information (For a leased vehicle, complete Section 4 section.)

Owner’s Complete Legal Name – Enter the name of the applicant to whom the vehicle is to be titled. The name should match the name found on the driver’s license.

- Customer Number, Driver’s License Number, Social Security Number or Federal Employer Identification Number (FEIN)
- Date of Birth

Co-Owner’s Complete Legal Name – Enter the name of the applicant to whom the vehicle is to be titled. The name should match the name found on the driver’s license.

- Joint Shared – If shared ownership, specify relationship by checking “and” or “or.” (**NOTE:** “And” means both signatures are required when conducting transactions. “Or” means only one signature is required when conducting transactions.)
- Customer Number, Driver’s License Number, Social Security Number or FEIN
- Date of Birth

Residence Street Address – Enter the complete address of the owner as a street, route or rural box number. A post office box number is not acceptable in this field and can be entered only in the mailing address field. This must be a South Carolina address.

Mailing Address – Where mail is received. A post office box number can be used here.

Address Where Vehicle is Housed – This is the address that will be used for property taxes. (Example: Customer lives in Lexington County, but vehicle is housed in Pickens County where child attends school. Pickens County would be the housed address.)

Daytime Telephone Number – This information is optional.

Temporary Address – This is an address that will be used only for a limited time.

- Expiration Date is required if a Temporary Address is entered.

Section 4 – Leasing Information

Leasing Company Name - Owner of the vehicle (Example: GMC Leasing)

- Phone Number – This information is optional.
- Contact Person – This information is optional.
- Customer Number

Address – Enter the complete address of the owner. (**NOTE:** It can be an out-of-state of address.)

Name of Lessee – Person leasing the vehicle

- Driver's License Number, Social Security Number or FEIN of person leasing the vehicle
- Date of Birth of person leasing vehicle

Residence Street Address – The complete address of the person leasing the vehicle as a street, route, or rural box number. A post office box number is not acceptable in this field and can be entered only in the mailing address field. This must be a South Carolina address.

Mailing Address – Where mail is received. A post office box number can be used here.

Address Where Vehicle is Housed – This is the address that will be used for property taxes. (Example: Customer lives in Lexington County, but vehicle is housed in Pickens County where child attends school.)

Section 5 – Lien Information

The lien information on DMV Form 400 must agree with the titling documents.

Customer Number or FEIN of lien holder

- Lien Holder Name (First Lien) – This information is required.
- Date of Lien – This information is required.
- Contact Person – This information is optional.
- Telephone Number – This information is optional.

Mailing Address - Where mail is received. A post office box number can be used here.

Customer Number or FEIN

- Lien Holder Name (Second Lien) – This information is required.
- Date of Lien – This information is required.
- Contact Person – This information is optional.
- Telephone Number – This information is optional.

Mailing Address – Where mail is received. A post office box number can be used here.

Section 6 – Satisfaction of Lien will be completed by the lien holder only if the lien has been satisfied and DMV Form 400 is for a duplicate title.

Satisfaction of First Lien

- Date of lien satisfaction – This information is required.
- Name of Lien Holder – This information is required.
- Certified By signature of authorized agent – This information is required.
- Title of authorized agent – This information is required.

Satisfaction of Second Lien

- Date of lien satisfaction – This information is required.
- Name of Lien Holder – This information is required.
- Certified By signature of authorized agent – This information is required.
- Title of authorized agent – This information is required.

Section 7 – Sales Tax Exemption

Check the appropriate box that applies for casual sales tax exemption.

Section 8 – Additional Information

Date of Purchase

- Date first operated in South Carolina
- Energy Efficient Manufactured/Mobile Home

New or Used

- Prior Title Number – Enter the title number of the title being surrendered; if vehicle is new, write MCO in this field.
- Prior Title State – Enter the name of the state where the vehicle was previously registered and titled.

The Vehicle Described on this Application Is – For Salvage Use Only

The Vehicle Sustained the Following Damage – For Salvage Use Only

Agency Reference Number – If Applicable

Salvage Percentage – For Salvage Use Only

Calculate the Salvage Percentage – For Salvage Use Only

Section 9 – Seller Information

Enter the seller's name (dealer information when applicable).

- South Carolina Dealer/Wholesaler Number
- South Carolina Sales Tax Number
- Sales Price of the vehicle
- Address – Enter the complete address of the seller.

Section 10 – Insurance Certification

Enter the name of the liability insurance company if applicant is titling and registering the vehicle. (**NOTE:** It is imperative that the correct insurance information be listed. Incorrect information may result in the suspension of the owner's driver license and license plate.)

Section 11 – Gift of Life Trust Fund

Indicates whether a Gift of Life donation was given and the contribution amount.

Section 12 – Signature of Owner

Ensure that the owner(s) has/have signed and dated DMV Form 400. This information is required.

THIS SECTION FOR DMV/DEALER USE ONLY – This section is to be completed in its entirety by a DMV employee.

Form 452 – Lost/Stolen or Destroyed License Plate Report Replacement Application

The Lost/Stolen or Destroyed License Plate Report Replacement Application is used to report that a plate was lost, stolen, or destroyed. This application must be completed before a replacement plate is issued to a customer.

Steps for Completing DMV Form 452

1. License Plate Number – That you are reporting missing (if applicable)
 - State – Enter SC
 - Year of Expiration
2. Name and Address of Registered Owner (that appears on Certificate of Title)
 - Name of registered owner
 - Street Address (residence address)
 - City in which owner resides
 - State where vehicle is registered
 - Home Telephone Number of registered owner
 - Work Telephone Number of registered owner
3. I certify that the plate listed above was – You must indicate whether it was lost, stolen or destroyed.

Date of Loss – Date first noticed missing (lost, stolen, or destroyed)

City in which the plate/decal was lost, stolen, or destroyed

State in which the plate/decal was lost, stolen, or destroyed

Circle the one that applies – “I do” or I “do not” wish to replace at this time

Owner’s Signature – Registered owner’s signature if he or she is the person making the report

Signature of Person Making Report – Signature of person making the report if not the registered owner

Print Name and Address of Person Making Report – The person making the report if different from the registered owner

Insurance Certification

Name of Insurance Company – You must list the name of insurance company if replacing plate/decal. Insurance information must be accurate. Do not guess.

Signature of Owner – Registered owner must sign the insurance section.

FOR DMV USE ONLY

This section is to be completed by a DMV employee only.

Form 4057 – Application for Name and/or Address Change, Date of Birth Correction, or Special Mailing

The Application for Name and/or Address Change, Date of Birth Correction, or Special Mailing will be used by the dealer to make an address correction **only**. The customer must complete this application. Any other change will have to be done in person at a local SCDMV branch office. (**NOTE:** The address on DMV Form 400 must match the address on file with the DMV. If the address does not match DMV files, DMV Form 4057 must be completed and signed by the customer or the titling application will be denied or returned by the DMV branch office for necessary corrections. The address on file with DMV should be the same as the address on the customer's driver's license.)

It is the responsibility of the clerk to verify that each section is completed when the application returns.

Property Tax Odometer (PTO) Form – Affidavit & Notification of Sale of Motor Vehicle

A PTO is a form used by the dealership to waive the property taxes for 120 days when a customer purchases a vehicle. This form is similar to a Bill of Sale. (**NOTE: The pink copy of the PTO will be delivered to the local SCDMV branch office by the dealership. The branch office will distribute to the appropriate county.**)

Form 4031 – Bill of Sale

A South Carolina Bill of Sale is required if the current Certificate of Title was issued before June 1989. The form documents the sale price of the vehicle, odometer information, and the seller and buyer information. Dealers also use DMV Form 4031 or a Property Tax Odometer (PTO) Form to document the transfer of a vehicle from one dealership to another dealership. The form may be used for that purpose until the vehicle is transferred to an individual who is not a dealer. This form will not be accepted by the DMV if you erase or "white out" any portion of the form.

BUYERS GUIDE

IMPORTANT: Spoken promises are difficult to enforce. Ask the dealer to put all promises in writing. Keep this form.

VEHICLE MAKE _____

MODEL _____

YEAR _____

VIN NUMBER _____

DEALER STOCK NUMBER (Optional) _____

WARRANTIES FOR THIS VEHICLE:

AS IS - NO WARRANTY

YOU WILL PAY ALL COSTS FOR ANY REPAIRS. The dealer assumes no responsibility for any repairs regardless of any oral statements about the vehicle.

WARRANTY

- FULL
- LIMITED WARRANTY. The dealer will pay _____% of the labor and _____% of the parts for the covered systems that fail during the warranty period. Ask the dealer for a copy of the warranty document for a full explanation of warranty coverage, exclusions, and the dealer's repair obligations. Under state law, "implied warranties" may give you even more rights.

SYSTEMS COVERED:

DURATION:

SERVICE CONTRACT. A service contract is available at an extra charge on this vehicle. Ask for details as to coverage, deductible, price, and exclusions. If you buy a service contract within 90 days of the time of sale, state law "implied warranties" may give you additional rights.

PRE PURCHASE INSPECTION: ASK THE DEALER IF YOU MAY HAVE THIS VEHICLE INSPECTED BY YOUR MECHANIC EITHER ON OR OFF THE LOT.

SEE THE BACK OF THIS FORM for important additional information, including a list of some major defects that may occur in used motor vehicles.

CERTIFICATE OF ORIGIN FOR A VEHICLE



DATE
JANUARY 25, 2007

INVOICE NO. [REDACTED] 2

VEHICLE IDENTIFICATION NO. [REDACTED]

YEAR
2007

MAKE
FORD

BODY TYPE
114 EXPLORER XLT 4X4 4DR

SHIPPING WEIGHT
4582 LBS.

H.P.(S.A.E.) 37.40 G.V.W.R. 6190 LBS

NO. CYLS.
6

SERIES OR MODEL
U73K

NOMINAL TONNAGE 1/2

I, the undersigned authorized representative of the company, firm or corporation named below, hereby certify that the new vehicle described above is the property of the said company, firm or corporation and is transferred on the above date and under the Invoice Number indicated to the following distributor or dealer.

NAME OF DISTRIBUTOR, DEALER, ETC.

P.O. NUMBER 18990877

[REDACTED]

71K327

It is further certified that this was the first transfer of such new motor vehicle in ordinary trade and commerce.

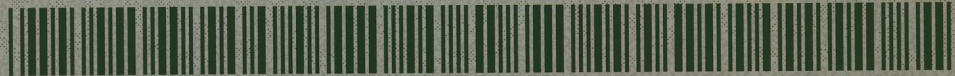
MEMO DATA (NOT A LIEN)

FINANCE SOURCE 000001

Ford Motor Credit Co
P.O. Box 1732, Room
Dearborn MI
48121

[REDACTED] **D1C112050**
BY [REDACTED]
(SIGNATURE OF AUTHORIZED REPRESENTATIVE) (AGENT)

[REDACTED]
CITY - STATE





South Carolina Department of Motor Vehicles

APPLICATION FOR A DEALER OR WHOLESALER LICENSE

DLA-1
(Rev. 7/06)

NOTE: Form must be completed in its entirety. If space provided is insufficient, please reply on a separate sheet of paper and attach as part of the application. Submit original bond and power of attorney with application.

Check One: Renewal First Time Application Change of Name, Address or Category
(NOTE: All Changes must include a rider from your surety company indicating change being made.)

Wholesale Only Travel Trailer Only Motorcycle Only Dealer (Retail/Wholesale) Wholesale Auction

I (we) hereby apply for license to engage in the PRINCIPAL BUSINESS of selling or dealing in motor vehicles within the State of South Carolina.

Name of Dealership				DEPARTMENT USE ONLY	
Street Address for Dealership					
City	State	Zip Code	County	License Year _____ Date of Issue _____ Specialist's Code _____	
Telephone Number (_____) _____ -- _____				Fee Schedule _____ Dealer/Wholesaler License Fee \$50.00 _____ Demonstration Plate @ \$20.00 per plate _____ Total Dealer License Number _____	
Special Mailing Address and E-Mail Address				Demonstration Plates Assigned: No. _____ No. _____ No. _____ No. _____ No. _____ No. _____	
Check Only One: <input type="checkbox"/> Franchised <input type="checkbox"/> Non-Franchised If franchised, list Make(s) of Vehicles				Check One Statement: _____ Information below same as on computer file. _____ Changes made to information below.	
1. _____					
2. _____					
3. _____					

Yes No 1. Do you have a surety bond in effect? Name and address of surety company _____

Surety Bond Number _____ Effective Date _____ to _____
Name of principal _____
Name of liability insurance company _____
Policy Number _____ Effective Dates _____ to _____
Name of Policyholder _____
Name of agent/agency _____ Phone Number _____

Yes No 2. Was the Business a licensed dealer/wholesaler during previous year?
If yes, list license number _____
Indicate number of demonstration plates assigned _____
Average number of employees during previous year _____
Number of motor vehicles PURCHASED during the previous year _____
Number of motor vehicles SOLD during the previous year _____
Number of travel trailers PURCHASED during the previous year _____
Number of travel trailers SOLD during the previous year _____
Number of motorcycles PURCHASED during the previous year _____
Number of motorcycles SOLD during the previous year _____

For First Time Dealers or Dealers licensed less than one calendar year:

I hereby estimate that I will sell approximately _____ motor vehicles during the upcoming year. I understand that the number of license plates may be increased or decreased according to actual sales.

3. Are there any records for each vehicle transaction indicated in question two (2) which reflect the following:
- Yes No A. Dates of purchase and sale
- Yes No B. Vehicle Identification Number
- Yes No C. Name and address of seller, purchaser, and copy of odometer statement from seller to dealer/wholesaler and from dealer/wholesaler to purchaser. If no, explain on a separate sheet of paper
- Yes No 4. Sales Tax number assigned by S.C. Department of Revenue _____
Have monthly sales tax reports been filed with the S.C. Department of Revenue?
- Yes No 5. Do you sell motor vehicles on credit?
 Yes No If Yes, have you filed any credit notifications or maximum rate documents with the Department of Consumer Affairs?
- Yes No 6. Do you have a Dealer's Manual? (DMV Specialist's Code _____)
- Yes No 7. Is your business financially backed by another person or business? If yes, give details _____

- Yes No 8. Does your business financially back any other dealer or wholesaler? If yes, list name and address of business _____

- Yes No 9. Has the applicant, owner, sales personnel or agent been licensed as a motor vehicle dealer? If yes, answer the following on a separate sheet of paper: name of business, address, and the dates the business was in operation. Also indicate whether any claims or charges of fraudulent or deceptive trade practices or odometer rollbacks were brought against these individuals or entities.
- Yes No 10. Has the owner, applicant, sales personnel or agent ever been convicted of any offense involving any motor title or registration, auto theft, or odometer rollbacks? If yes, give details, name and address of court, date of convictions, offense convicted of and punishment imposed on a separate sheet of paper.
- Yes No 11. Has the owner, applicant, sales personnel or agent allowed the use of demonstration plates to operate wrecker in use by the business or to operate vehicle owned by the business that are leased or rented by the public? If yes, give details on a separate sheet of paper.
- Yes No 12. Has the license or demonstration plates of your business or any employee of your business ever been suspended or revoked or subject to suspension revocation? If yes, give details on a separate sheet of paper.
13. List complete name (do not use initials), address and driver's license number of the actual owner of the business. (Any person who has at least 10% ownership in the business): _____

14. List name, address and driver's license number of principal sales manager of your business: _____

15. List name, address and driver's license number of employees/agents of your business: _____

Under penalties of perjury, I declare that I am the owner, partner or corporate officer of the business named on this application and that all of the information is true and correct. I further understand that false responses to these questions may result in denial, suspension or revocation of the motor vehicle license being sought and may subject me to prosecution for perjury and other criminal offenses. I have freely and knowingly executed the formalities of an oath in this affirmation and I hereby certify that I am authorized to apply for the license and to supply the information on behalf of the applicant.

Print full name of person signing below

Signature

Mail to:

**South Carolina Department of Motor Vehicles
Dealer Licensing & Audit Unit
P.O. Box 1498
Blythewood, South Carolina 29016-0023**

VISIT OUR WEBSITE AT www.scdmvonline.com



South Carolina Department of Motor Vehicles

Requirements for Obtaining a Motor Vehicle Dealer or Wholesaler License

DLA-1a (IS)
(Rev. 8/06)

Any Motor vehicle dealer or wholesaler applying for the first time will be required to be inspected prior to being issued a license. For the purpose of determining which dealers need to be inspected, the following guidelines will be used:

- a) Any dealer or wholesaler who is applying for the first time.
- b) Any dealer or wholesaler who is reapplying after having been closed for a year or having a license that has been expired more than ninety (90) days.
- c) Any wholesaler changing from a wholesale to a retail dealer or visa versa.
- d) Any dealer or wholesaler moving to a new location.
- e) Any dealer or wholesaler changing ownership of a location.
- f) Any dealer or wholesaler changing the name of the business.

In order to qualify as a Motor Vehicle Dealer, you must meet the following criteria:

1. "Motor Vehicle Dealers" must maintain a bona fide place of business consisting of a permanent structure containing at least 96 square feet of floor space, occupied by the applicant and easily accessible to the public. A bona fide place of business does not mean a residence, tent, temporary stand or other temporary quarters. The selling or exchanging of motor vehicles must be the principal business conducted from the location.
2. Place of business must display a permanent sign with letters at least six (6) inches in height, clearly readable from the nearest avenue of traffic. The sign must clearly identify the licensed business. The dealer's place of business must have a reasonable area or lot to properly display motor vehicles.
3. Must obtain liability insurance covering vehicles offered for sale. Demonstration plates will not be issued unless proof of liability insurance coverage is furnished.
4. Effective December 1, 2006 all dealers or wholesalers applying for an original dealer or wholesaler license must furnish a surety bond in the amount of \$30,000.00, along with its Power of Attorney. An existing dealer or wholesaler must also obtain a new \$30,000 surety bond or obtain a rider which increases your current bond to \$30,000, along with its Power of Attorney. **Note, the current \$15,000 surety bond requirement did not increase for the following dealer or wholesaler license groups, Travel Trailer, Motorcycle and Wholesale Auto Auctions.**
5. Must keep complete records of each transaction for a period of not less than five years from the date of the transaction. Records must be available for Department inspection upon demand during normal business hours.
6. Sales tax must be collected on any sale by a retail dealer. A sales tax number must be obtained from the South Carolina Department of Revenue, Tax Division. Applications for Title, Forms 400, must be completed reflecting the Dealer License Number, Sales Tax Number, and Dealers Signature.

In addition to the above requirements, an applicant for a non-franchise dealer license must attend an eight-hour pre-licensing course prior to being issued a dealer license. A copy of the certificate of completion of the course must accompany this application. You may contact the Dealer Licensing and Audit Unit at (803) 896-2611 for provider information or you may visit our website at www.scdmvonline.com. This requirement does not apply to non-franchised dealers owned and operated by a franchised automobile dealer, a non-franchised automobile dealer whose primary business is salvage or non-franchised dealers whose primary business objective and substantial business activity is the rental of motor vehicles.

A Motor Vehicle "Wholesaler" must meet all the requirements above except for items 1 and 2. A "Wholesaler" is not required to maintain a permanent place of business or display a sign. Wholesalers are not permitted to sell vehicles to individuals. They are licensed to sell to other licensed dealers only.

A Dealer or Wholesaler License applies to only one place of business of the applicant and is not transferable to another person or place of business.

For first time applications as defined by the guidelines indicated above, submit a completed and signed Form DLA- 1, *Application for a Motor Vehicle License* and DLA-1 B, *Surety Bond* along with its Power of Attorney, to the following address: Department of Motor Vehicles, Dealer Licensing and Audit Unit, PO Box 1498, Blythewood, South Carolina 29016-0023 No fees will be submitted at this time. Telephone Number: (803) 896-2611

Upon approval or disapproval of the application, you will be notified accordingly of the additional steps necessary.

For renewal of a Motor Vehicle License, submit the following to your local Department of Motor Vehicles Branch Office:

- Form DLA-1, Application for Motor Vehicle License, must be completed in its entirety and signed.
- Form DLA-1C, Certification of Vehicles Sold during the previous dealer license year.
- Fees are as follows:
 - Dealer or Wholesaler License \$50.00
 - Demonstration Plates \$20.00 each

VISIT US AT OUR WEBSITE www.scdmvonline.com



South Carolina Department of Motor Vehicles
Motor Vehicle Dealer and Wholesaler Surety Bond

DLA-1b
(Rev. 9/06)

Dealer Number: _____

Please read instructions on second page before executing bond.

Bond Number: _____ Effective Date: _____ Time: _____ AM
 PM

KNOW ALL MEN BY THESE PRESENTS: that we _____
(Firm Name as Licensed)

Doing business at _____

As Principal and _____ as Surety

are duly authorized to do business within the State of South Carolina, are held and firmly bound unto the people of the State of South Carolina to indemnify any owner of a motor vehicle, or his legal representative, who may be aggrieved by any fraud, fraudulent representation or violation by said Principal, salesmen, or representatives acting for such Principal within the scope of employment of such salesmen or representatives, of any of the provisions of Title 56 of the South Carolina Code of Laws relating to Motor Vehicle Dealers and the sale and transfer of motor vehicles, in the amount of:

(CHECK ONE)

- Thirty Thousand Dollars (\$30,000) – All dealers and/or wholesalers not specifically listed in the next category,
- Fifteen Thousand Dollars (\$15,000) – Wholesale Auto Auction, Travel Trailer and/or Motorcycle Dealers or Wholesalers,

lawful money of the United States of America, for which payment, well and truly to be made, we bind ourselves, jointly and severally, our joint and several heirs, executors, administrators, successors, and assigns, firmly by these presents.

WHEREAS, the above bounden Principal desires that a motor vehicle dealer's or wholesaler's license be issued and thereafter reissued from time to time by South Carolina Department of Motor Vehicles;

WHEREAS, this bond executed by the said Principal and Surety is filed with the South Carolina Department of Motor Vehicles, to enable said Principal to obtain a license from the Department under the provisions of that law.

NOW THEREFORE, the conditions of this obligation are such that if the Principal shall well and truly observe and strictly and faithfully comply with the aforesaid requirements of law and shall save and keep harmless any owner of a motor vehicle or his legal representation made to him by such Principal, such Principal's salesmen or representatives acting for the Principal or within the scope of the employment of such salesmen or representatives, or from any loss or damage suffered by reason of the violation such Principal or any such salesmen or representatives of any of the provisions of Title 56 of the South Carolina Code of Laws relating to Motor Vehicle Dealers and the sale and transfer of motor vehicles, then this obligation shall be null and void; otherwise it shall remain in full force and effect. It is understood that the injured party need not obtain a judgment against the Principal before making claim against the Surety on this bond.

This bond shall not automatically expire with the license for which it is initially issued, but shall continue indefinitely, from license year to license year, upon timely payment of the premium thereon. Before this bond may be cancelled, a thirty (30) day written notice must be given to the Department of Motor Vehicles. Such cancellation does not affect any liability incurred or accrued prior to cancellation.

(Principal) _____
(Surety)

By: _____ By: _____
(Title) (Title)



South Carolina Department of Motor Vehicles

Motor Vehicle Dealer's and Wholesaler's Surety Bond Instructions

DLA-1b (IS)
(Rev. 9/06)

- Every applicant for a motor vehicle dealer's and wholesaler's license must furnish the original Surety Bond for the amount required and Power of Attorney on a form to be prescribed by the Executive Director of the Department of Motor Vehicles. The purpose of the bond is to provide indemnity for loss or damage caused an individual due to fraud or fraudulent representation in relation to a sale or transfer of a motor vehicle by a licensed dealer, wholesaler or their employees.

Surety Bond Amount	Which Dealers and Wholesalers must furnish a Surety Bond for this Amount
Thirty Thousand Dollars (\$30,000)	All dealers and/or wholesalers not specifically listed in the next category.
Fifteen Thousand Dollars (\$15,000)	Wholesale Auto Auction, Travel Trailer and/or Motorcycle Dealers or Wholesalers.

- The Executive Director of the Department of Motor Vehicles has prescribed a standard form of bond for motor vehicle dealers - Motor Vehicle Dealer and Wholesaler Surety Bond (Form DLA-1B), which is set forth on the reverse side hereof.
- This bond must be executed by the applicant, as principal, and by a corporate surety company authorized to do business in this State, as surety, and given to the Department before the application can be acted upon.
- This bond must be signed by either the owner, partner or corporate officer of the dealership (Principal) and an agent from your surety company.
- The bond must be effective prior to or at the time of the granting of a license.
- If the bonding company has changed, please submit a new original bond and Power of Attorney at the time of renewal.
- If, during the license year, there is any change in a principal's name, address or ownership then an endorsement from the surety agent or a new bond will be required along with a new application for Dealer/Wholesaler License.

Does transporter financially back any licensed motor vehicle dealer or transporter? If yes, give name of the dealer, the ownership and the address: _____

List the names and address of the actual owners of the applicant's business. (Any person who has at least 10% ownership in the business):

Has this business or any of its owners, sales personnel, or agents had any claims or official charges made against it for unfair deceptive trade practices? If yes, give details: _____

Has the applicant, owners, or agents been licensed in any other state as a motor vehicle transporter? _____ If so, give the name of the business, address, the dates the business was in operations, and indicate whether any claims or charges of unfair or deceptive trade practices were brought against these individuals or entities. _____

Has the owner, applicant, or agent ever been convicted of any offense involving any motor vehicle registration or auto theft? _____
If yes, give details: _____

Has the transporter license or transporter plates of this business (or any official or employee of this business) ever been suspended or revoked or subject to suspension or revocation? _____ If the answer is yes, please give details. _____

State of _____ County of _____

I certify that I am the owner, partner or corporate officer of the business named on this application and that all of the above information is true and correct. I further understand that false responses to these questions may result in denial, suspension, or revocation of the motor vehicle transporter license being sought and may subject me to prosecution for perjury and other criminal offenses. I further certify that I am authorized to apply for the license and to supply the information on behalf of the applicant.

Signature of Applicant

CERTIFICATION OF INSPECTION

This is to certify that I, the undersigned, a duly appointed agent of the South Carolina Department of Motor Vehicles, have reviewed this application and have made a personal investigation of the facilities and location as described hereon and in my opinion the said individual(s) or corporation maintain an established place of business of construction cabs or bodies or foreclosing or repossessioning vehicles as set forth in Section 56-3-2350 of the 1976 Code of Laws.

Agent's Signature

NOTE: This application, upon completion, must be reviewed and signed by an authorized agent of the South Carolina Department of Motor Vehicles prior to applying for a Transporter License. If space provided for answers is insufficient, please reply on a separate sheet of paper and attach as part of the application.



South Carolina Department of Motor Vehicles

DEALER COMPLAINT FORM

DLA-5
(Rev. 1/05)

OFFICE USE ONLY

CASE # _____

COMPLAINT # _____

MAIL OR FAX TO:

Dealer Licensing & Audit Unit
P.O. Box 1498
Blythewood, SC 29016-0023
Fax: (803)896-2619

TODAY'S DATE _____

YOUR NAME _____

ADDRESS _____

HOME TELEPHONE # _____ DAYTIME TELEPHONE # _____

DEALERSHIP INVOLVED _____ SALES PERSON _____

ADDRESS _____

The South Carolina Freedom of Information Act may require the Department of Motor Vehicles to release a copy of your complaint as a public record.

*** PLEASE ATTACH A COPY OF THE BILL OF SALE**

PLEASE PROVIDE AN EXPLANATION OF YOUR COMPLAINT: _____

WHAT DO YOU WANT THE DEALER TO DO? _____

IS AN ATTORNEY HANDLING THIS COMPLAINT? _____ NAME _____

HAVE YOU CONSULTED ANY OTHER AGENCY? _____ NAME _____

SIGNATURE OF COMPLAINANT



South Carolina Department of Motor Vehicles

MV-38
(Rev. 6/04)

MOTOR VEHICLE DEMONSTRATION CERTIFICATE (*EXPIRES IN 7 DAYS*)

TRUCK DEMONSTRATION CERTIFICATE (*EXPIRES IN 3 DAYS*)
(*16,000 GVW OR GREATER*)

Dealership Name

Dealer License Number

Dealer Plate Number

Complete Name of Prospective Purchaser

Beginning Date

Ending Date

Signature of Authorized Dealer

AFFIDAVIT & NOTIFICATION OF
SALE OF MOTOR VEHICLE
(Entire Form Must Be Typed or Printed)

1779175

Personally appeared before me _____
(Seller) (Dealer Retail Tax #)

(Address)

who being duly sworn, deposes and says that on the _____ day of _____ 20 _____,

he sold the following motor vehicle: Make _____ Model _____

Year _____ Identification (Serial) No. _____

License No. _____ to _____
(Buyer)

(Street)

(City)

(County)

(State)

(Zip)

Special Mailing Address

Deponent further states that there are no liens or encumbrances on the said vehicle except as listed below:

Lienholder _____ Amount _____

Address _____ Date _____

I certify that the odometer now reads _____ (no tenths) miles and to the best of my knowledge that it reflects the actual mileage of the vehicle described below, unless one of the following statements is checked.

(1) I hereby certify that to the best of my knowledge, the odometer reading reflects the amount of mileage in excess of its mechanical limits.

(2) I hereby certify that the odometer reading is NOT the actual mileage. WARNING-ODOMETER DISCREPANCY

Federal law (and State law, if applicable) requires that you state the mileage upon transfer of ownership. Failure to complete or providing a false statement may result in fines and/or imprisonment.

(Signature of Seller)

(Print Seller's Name)

(Signature of Buyer)

(Print Buyer's Name)

Property Tax Section
Check One:

_____ Purchase License Plate

D.L. Number _____

License Plate Issued _____

_____ Transfer License Plate

Signature of Buyer/if purchasing plates



SCDMV

Application for Certificate of Title and Registration for Motor Vehicle or Manufactured Home/Mobile Home Form 400 (Rev.10/05)

For more information, visit our website at www.scdmvonline.com or call our Customer Call Center at (803)896-5000.

Check the box next to the type of transaction you need. Please enclose the required documents and fees with your completed and signed application. For expedited services (within 3 business days) include an additional \$20.00 fee. Please print or type in black ink only. **DO NOT SEND CASH.**

<input type="checkbox"/> NEW TITLE & REGISTRATION 1) Manufacturer Statement of Origin (MSO) or Title. 2) Paid Property Tax Receipt 3) \$15.00 title fee and regular registration fee. 4) Sales Tax (5% of selling price or \$300.00 max.) 5) Insurance Information	<input type="checkbox"/> TITLE AND PLATE TRANSFER 1) Manufacturer Statement of Origin (MSO) or Title. 2) List Previous Tag # _____ 3) Previous registration in owner's name. 4) \$15.00 title + \$10.00 transfer fee 5) Sales Tax (5% of selling price or \$300.00 max.) 6) Insurance Information	<input type="checkbox"/> MOBILE OR MANUFACTURED HOME 1) Manufacturer Statement of Origin (MSO) or Title. 2) Consumer Insulation Report required for \$300.00 sales tax cap, if mobile home is energy efficient. 3) \$15.00 title fee	<input type="checkbox"/> TITLE ONLY 1) Manufacturer Statement of Origin (MSO) or Title. 2) \$15.00 title fee 3) Sales Tax (5% of selling price or \$300.00 max.) <input type="checkbox"/> DUPLICATE TITLE 1) ___ Lost ___ Stolen or ___ Destroyed Title 2) \$15.00 title fee.	<input type="checkbox"/> LEASED VEHICLE 1) Do not complete Section 3. Complete Section 4 and all other applicable sections. MAIL YOUR APPLICATION TO: SCDMV P.O. Box 1498 Blythewood, SC 29016 - 0024
---	--	---	---	--

SECTION 1 - VEHICLE INFORMATION

VEHICLE IDENTIFICATION NUMBER	MAKE	YEAR MAKE	BODY STYLE	MODEL	EMPTY WEIGHT	GWW
-------------------------------	------	-----------	------------	-------	--------------	-----

SECTION 2 - ODOMETER MILEAGE

FEDERAL AND STATE LAW REQUIRES THAT YOU STATE THE MILEAGE IN CONNECTION WITH THE TRANSFER OF OWNERSHIP. FAILURE TO COMPLETE OR PROVIDING A FALSE STATEMENT MAY RESULT IN FINES AND/OR IMPRISONMENT.

I STATE THAT THE ODOMETER NOW READS _____ (NO TENTHS) AND TO THE BEST OF MY KNOWLEDGE THAT IT REFLECTS THE **ACTUAL MILEAGE** OF THE VEHICLE DESCRIBED ABOVE **UNLESS** ONE OF THE FOLLOWING STATEMENTS IS CHECKED:

DO NOT CHECK ONE OF THE FOLLOWING UNLESS IT APPLIES.

EXEMPT

I CERTIFY THAT TO THE BEST OF MY KNOWLEDGE THE ODOMETER READING REFLECTS THE AMOUNT OF MILEAGE IN EXCESS OF ITS MECHANICAL LIMITS.

I CERTIFY THAT THE ODOMETER READING IS NOT THE ACTUAL MILEAGE. **WARNING ODOMETER DISCREPANCY.**

SECTION 3 - OWNER INFORMATION

Your complete legal name must be used on all title and registration documents.

OWNER COMPLETE LEGAL NAME (LAST, FIRST, MIDDLE)		CUSTOMER NO., DRIVER LICENSE NO., SOC. SEC. OR FEIN NO.		DATE OF BIRTH
CO-OWNER COMPLETE LEGAL NAME (LAST, FIRST, MIDDLE)	SHARED OWNERSHIP <input type="checkbox"/> AND <input type="checkbox"/> OR	CUSTOMER NO., DRIVER LICENSE NO., SOC. SEC. OR FEIN NO.		DATE OF BIRTH
RESIDENCE STREET ADDRESS (APT. NO. IF APPLICABLE)	CITY	STATE	ZIP CODE	COUNTY
MAILING ADDRESS (IF DIFFERENT FROM ABOVE)	CITY	STATE	ZIP CODE	COUNTY
ADDRESS WHERE VEHICLE IS HOUSED (IF DIFFERENT FROM ABOVE)	CITY	STATE	ZIP CODE	COUNTY
DAYTIME TELEPHONE NUMBER	TEMPORARY ADDRESS (IF APPLICABLE)	EXPIRATION OF TEMPORARY ADDRESS		

SECTION 4 - LEASING INFORMATION

Complete only for a leased vehicle.

LEASING COMPANY NAME	PHONE NO.	CONTACT PERSON	CUSTOMER NO.	
ADDRESS	CITY	STATE	ZIP CODE	
NAME OF LEASEE (PERSON LEASING VEHICLE)	DRIVER LICENSE NO., SOC. SEC. NO. OR FEIN NO.	DATE OF BIRTH		
RESIDENCE STREET ADDRESS (APT. NO. IF APPLICABLE)	CITY	STATE	ZIP CODE	COUNTY
MAILING ADDRESS (IF DIFFERENT FROM ABOVE)	CITY	STATE	ZIP CODE	COUNTY
ADDRESS WHERE VEHICLE IS HOUSED (IF DIFFERENT FROM ABOVE)	CITY	STATE	ZIP CODE	COUNTY

SECTION 5 - LIEN INFORMATION

CUSTOMER NO. OR FEIN NO.	LIENHOLDER NAME (FIRST LIEN)	DATE OF LIEN	CONTACT PERSON	TELEPHONE NUMBER
MAILING ADDRESS		CITY	STATE	ZIP CODE
CUSTOMER NO. OR FEIN NO.	LIENHOLDER NAME (SECOND LIEN)	DATE OF LIEN	CONTACT PERSON	TELEPHONE NUMBER
MAILING ADDRESS		CITY	STATE	ZIP CODE

SECTION 6 - SATISFACTION OF LIEN**SATISFACTION OF FIRST LIEN**

THIS IS TO CERTIFY THAT THE LIEN AGAINST THE VEHICLE HAS BEEN FULLY SATISFIED ON:

DATE _____

NAME OF LIEN HOLDER _____

CERTIFIED BY _____

TITLE _____

SATISFACTION OF SECOND LIEN

THIS IS TO CERTIFY THAT THE LIEN AGAINST THE VEHICLE HAS BEEN FULLY SATISFIED ON:

DATE _____

NAME OF LIEN HOLDER _____

CERTIFIED BY _____

TITLE _____

SECTION 7 - SALES TAX EXEMPTION*Complete this section if you are entitled to a sales tax exemption.*

VEHICLE PURCHASED FROM INDIVIDUALS AND TITLED IN SOUTH CAROLINA ARE SUBJECT TO SALES TAX UNLESS EXEMPT. THE TAX IS 5% OF THE SALES PRICE UP TO A MAXIMUM OF \$300.00. (MOBILE HOMES ARE CALCULATED DIFFERENTLY.)

- THE VEHICLE WAS TRANSFERRED FROM: MY PARENT MY SPOUSE MY CHILD MY BROTHER/SISTER MY GRANDPARENT MY GRANDCHILD
- THE VEHICLE WAS TRANSFERRED TO ME AS: LEGAL HEIR BENEFICIARY DISTRIBUTTEE
- I AM NON-RESIDENT MILITARY PERSONNEL THE VEHICLE WAS A BONA FIDE GIFT

SECTION 8 - ADDITIONAL INFORMATION

DATE OF PURCHASE		DATE FIRST OPERATED IN S.C.	ENERGY EFFICIENT MANUFACTURED/MOBILE HOME? <input type="checkbox"/> YES <input type="checkbox"/> NO	
NEW OR USED?	PRIOR TITLE NUMBER		PRIOR TITLE STATE	
THE VEHICLE DESCRIBED ON THIS APPLICATION IS: <input type="checkbox"/> REBUILDABLE <input type="checkbox"/> NON-REBUILDABLE				
THE VEHICLE SUSTAINED THE FOLLOWING DAMAGE: <input type="checkbox"/> COLLISION <input type="checkbox"/> FIRE <input type="checkbox"/> WATER <input type="checkbox"/> STOLEN (RECOVERED) <input type="checkbox"/> STOLEN (UNRECOVERED)				
AGENCY REFERENCE NUMBER	SALVAGE% _____		Calculate the Salvage Percentage: Predamaged Value _____ Estimate for Repairs _____ Percentage _____	

SECTION 9 - SELLER INFORMATION

SELLER OR DEALER NAME		SC DEALER/WHOLESALE NUMBER	SC SALES TAX NUMBER	SALES PRICE	
ADDRESS			CITY	STATE	ZIP CODE

SECTION 10 - INSURANCE CERTIFICATION

A VEHICLE MUST BE INSURED WITH LIABILITY INSURANCE COVERAGE WHEN IT IS REGISTERED AND IT MUST REMAIN INSURED WHILE REGISTERED, WHETHER OR NOT IT IS OPERATED, OR THE UNINSURED MOTORIST FEE MUST BE PAID. PENALTIES ARE SEVERE FOR VIOLATION OF THIS REQUIREMENT.

UNDER PENALTIES OF PERJURY, I (WE) DECLARE THAT THIS VEHICLE IS **INSURED BY A LIABILITY INSURANCE** POLICY ISSUED THROUGH AN INSURANCE COMPANY LICENSED TO DO BUSINESS IN SOUTH CAROLINA AND IT WILL REMAIN INSURED THROUGHOUT THE REGISTRATION PERIOD.

NAME OF INSURANCE COMPANY _____

SECTION 11 - GIFT OF LIFE TRUST FUNDDO YOU WISH TO DONATE AN ADDITIONAL \$1.00 OR MORE TO THE GIFT OF LIFE TRUST FUND? YES NO AMOUNT \$ _____**SECTION 12 - SIGNATURE OF OWNER**

UNDER PENALTIES OF PERJURY, I DECLARE THAT I AM THE OWNER OF THIS VEHICLE AND REQUEST THAT A SOUTH CAROLINA CERTIFICATE OF TITLE AND/OR REGISTRATION BE ISSUED. I FURTHER CERTIFY THAT THE INFORMATION ON THIS APPLICATION IS CORRECT TO THE BEST OF MY KNOWLEDGE. THE VEHICLE IS SUBJECT TO THE LIENS NAMED AND NO OTHERS.

SIGNATURE OF OWNER (S) - MUST BE SIGNED IN INK BY OWNER OR AUTHORIZED AGENT (ATTACH POWER OF ATTORNEY IF APPLICABLE)

DATE _____

DISCLOSURE STATEMENT

56-3-240 (SOUTH CAROLINA CODE OF LAWS) - THE DEPARTMENT SHALL OBTAIN THE FEDERAL EMPLOYER IDENTIFICATION NUMBER OR SOCIAL SECURITY NUMBER WHEN A VEHICLE IS REGISTERED WITH A GROSS VEHICLE WEIGHT OF MORE THAN 26,000 POUNDS OR A BUS COMMON CARRIER. THE DRIVER PRIVACY PROTECTION ACT OF 1994 (DPPA), 18 USC SECTION 2721-2725 RESTRICT THE DISCLOSURE OF PERSONAL INFORMATION CONTAINED IN OUR RECORDS.

PENALTY FEES

FAILURE TO REGISTER WITHIN 45 DAYS OF THE DATE OF PURCHASE WILL RESULT IN PENALTY FEES IN ADDITION TO REGULAR TITLE AND/OR REGISTRATION FEES. THE LATE PENALTY FEE SCHEDULE IS AS FOLLOWS:

46 - 60 DAYS LATE - \$10.00

61 - 75 DAYS LATE - \$25.00

76 - 135 DAYS LATE - \$50.00

OVER 135 DAYS LATE - \$75.00

THIS SECTION FOR DMV USE ONLY**STAMP VEHICLE BRANDS**

RATED BY	TRANSACTION FEES	
OFFICE/OFFICE NUMBER	EXPEDITED FEE	WEIGHT INCREASE
PLATE NUMBER	LICENSE FEE	TRANSFER
EXPIRATION DATE	UNINSURED FEE	TITLE
PLATE CLASS	USE OR SALES TAX	GIFT OF LIFE FUND
SUSPENSE REASON	PENALTY	TOTAL



South Carolina Department of Motor Vehicles
Application for a Temporary Motor Home or
Travel Trailer Dealer License

417-C
(Rev. 10/05)

The fee for a Temporary Vehicle Dealer License is \$20.00.

Name of Dealership		
Address		
City	State	Zip Code -
Dealer License Number	Name of Owner	
Type of Event	Date of Event (MM-dd-yy) - -	
Location of Event		
Dates License Required (MM-dd-yy)	FROM: - -	TO: - -

I, _____ hereby certify that I am a Motor Vehicle Dealer licensed to do business in South Carolina. I understand that this license is valid only for the sale of travel trailers and motor homes as specified in Sections 56-15-10, 56-15-310, and 31-17-520 of the South Carolina Code of Laws, as amended.

Signature of Applicant

Date

Print Full Name of Applicant

INSTRUCTIONS

1. This application must be mailed to the South Carolina Department of Motor Vehicles, Dealer Licensing Unit, PO Box 1498, Blythewood, SC 29206-0023 or submitted to a branch office of the Department of Motor Vehicles.
2. A temporary dealers license may be issued to a licensed motor vehicle dealer who sells or offers for sale motor homes and travel trailers as provided in Sections 56-15-10, 56-15-310, and 31-17-520 of the South Carolina Code of Laws, as amended.
3. The dealer license issued pursuant to this application applies to only one dealer operating in a temporary location and is not transferable to any other dealer or locations. The temporary license may only be issued for "fairs, recreational or sports shows, vacation shows, and other similar events or shows.
4. A temporary dealer license is valid for a period not to exceed ten (10) consecutive days and must be prominently displayed at the temporary place of business.
5. No dealer may purchase more than six (6) temporary licenses in any one calendar year.
6. The fee for each temporary license issued is twenty dollars (\$20.00).
7. Any person failing to secure a temporary license is guilty of a misdemeanor and, upon conviction, must be punished in the same manner as he would be punished for failure to secure his dealer's license.
8. This temporary license may not be construed as allowing the sale of any type of motor vehicle other than motor homes and travel trailers at authorized temporary locations.

Please visit us on the web at scdmvonline.com



South Carolina Department of Motor Vehicles
30-DAY TEMPORARY PLATE REGISTRATION

433
Rev. 02/07

Pursuant to Section 56-3-2600 and 56-3-2900 of the 1976 Code of Laws of South Carolina as amended.

Plate No. Issued TP-	FEE PAID \$20.00	Date Plate Expires
--------------------------------	-------------------------	--------------------

Purchaser's Name _____ Date of Issue _____

Street _____ City _____ State _____ Zip Code _____

Year	Make	Vehicle Identification Number
------	------	-------------------------------

Dealer from whom vehicle and plate were purchased.

Street _____ City _____ State _____ Zip Code _____

_____ Print Name of Dealer

_____ Signature of Dealer

See conditions below.

The South Carolina Department of Motor Vehicles, upon request shall provide temporary license plates and registrations designed by the department to nonresidents of South Carolina, licensed motor vehicle dealers and to manufacturers in South Carolina who produce trailers or semi-trailers that apply for such plates and cards.

Temporary license plate shall be on the vehicle for which issued and shall not be transferred, loaned, or assigned to any other person or vehicle.

Temporary license plate and registration shall be valid for thirty days from the date of issuance.

Permit good only for empty weight if issued on truck or property carrying vehicle.

Liability insurance coverage must be in force for at least the minimum amounts required by South Carolina law.

The registration should be carried in the vehicle described while in operation.

Date of issue, make, identification number and expiration date on actual temporary plate, must be written in permanent black ink or black ink covered with transparent tape.

Motor Vehicle Dealers Only- Dealers, subject to the limitations and conditions hereafter set forth, may issue such temporary license plates to owners of vehicles which are to be permanently licensed in a state other than South Carolina.

Manufacturers of Trailers or Semi-Trailers in South Carolina only-A manufacturer may issue a temporary plate to a trailer or semi-trailer that is being moved from the manufacturer to the dealer's or purchaser's place of business.

Department of Motor Vehicles copy of registration must be mailed to the South Carolina Department of Motor Vehicles, P.O. Box 1498, Blythewood, South Carolina 29016-0036 on the same day issued.

30 DAY PLATE
SOUTH CAROLINA

TP-000000

ISSUED

MAKE

IDENTIFICATION

EXPIRES

Form 433-A (Rev. 7/99)



South Carolina Department of Motor Vehicles
APPLICATION FOR TEMPORARY PERMIT AND PLATES

FORM #433-B
 (Rev. 02/07)

Date _____, _____ 20 _____

_____ Temporary Permits and Plates (10 Permits to a book)
 (Number of Books)

Name of Dealer/Applicant _____ County _____

Street _____

City _____ State _____ ZIP Code _____

Dealer Number _____ Sales Tax Number _____

Enclosed you will find () or () Made payable to the South Carolina
 Cash Money Order or Check

Department of Motor Vehicles.

 Signature of Dealer or Agent

Fee for each set of Permits and Plates is \$20.00.

THIS SPACE FOR DEPARTMENT USE ONLY

Number of Permits/Books Issued _____

Beginning Number _____ Ending Number _____ Total _____

Number of Temporary Plates _____

Beginning Number _____ Ending Number _____ Total _____

Total Permits Issued _____ Date of Issue _____

Issued By _____ Office Number and Code _____

Amount of Fees Collected _____

This will certify I have personally received all permits and plates listed in good condition.

Received By _____

WHITE-APPLICANT

YELLOW-DMV FILE

PINK-ACCOUNTING

GOLD-BRANCH OFFICE



South Carolina Department of Motor Vehicles

BILL OF SALE (Must Be Typed or Printed in Black Ink)

FOR DEPARTMENT USE ONLY

Check One:

Purchase License Plate

Transfer License Plate _____

I, _____
Seller

Street _____ City _____ State _____ Zip Code _____

state that on the _____ day of _____ Yr. _____ the following vehicle:

MAKE _____ MODEL _____ BODY TYPE _____ YEAR _____

VEHICLE IDENTIFICATION NO. _____ LICENSE NO. _____

was sold to _____
Buyer

Street _____ City _____ State _____ Zip Code _____

And the above described vehicle is free of all liens and encumbrances in the buyer's name except:

(List here any mortgages, liens, or encumbrances)

Sale price of vehicle \$ _____

Less trade-in \$ _____

Taxable Total \$ _____

Federal and State law requires that you state the mileage in connection with the transfer of ownership. Failure to complete or providing a false statement may result in fines and/or imprisonment.

I state that the odometer now reads _____ (no tenths) miles and to the best of my knowledge that it reflects the **ACTUAL MILEAGE** of the vehicle described herein, **UNLESS** one of the following statements is checked.

STOP! DO NOT check one of the following unless it applies.

_____ 1. I hereby certify that to the best of my knowledge the odometer reading reflects the amount of mileage in EXCESS of its mechanical limits.

_____ 2. I hereby certify that the odometer reading is NOT the actual mileage. WARNING: ODOMETER DISCREPANCY.

WARNING: Federal and state law requires that you state the mileage in connection with the transfer of ownership. Failure to complete or providing a false statement may result in fines and/or imprisonment.

_____/_____
Signature(s) of Buyer(s) Date

_____/_____
Signature(s) of Seller(s) Date

Hand Print Name(s) of Buyer(s)

Hand Print Name(s) of Seller(s)

**Return to: South Carolina Department of Motor Vehicles
P.O. Box 1498
Columbia, S.C. 29216-0024**

**ANY ALTERATION OR ERASURE VOIDS THIS DOCUMENT.
ORIGINALS MUST BE SUBMITTED TO THE DEPARTMENT.**



South Carolina Department of Motor Vehicles

452
(Rev. 10-05)

LOST/STOLEN OR DESTROYED LICENSE PLATE REPORT REPLACEMENT APPLICATION

INSTRUCTIONS

This form must be completed by the requested owner, or his agent to replace a lost, stolen, or destroyed license plate and presented at any DMV Branch office, or mailed to the address listed below.

Department of Motor Vehicles
DMV Customer Service Unit
Attention: Mail-In Registration
P.O. Box 1498
Blythewood, South Carolina 29016-0019

1. License Plate No. _____ State _____ Year _____

2. Name and Address of Registered Owner:

Name _____

Street Address _____

City _____ State _____

Telephone Number (Home) _____ (Work) _____

3. I certify that the plate listed above was: (circle one) Lost Stolen Destroyed

Date of Loss _____ City _____ State _____

I do/do not (circle one) wish for another plate at this time. If the plate above is recovered, I will notify the nearest DMV Branch Office immediately. **If receiving another plate, complete Insurance Certification (below).**

Owner's Signature _____

Signature of Person Making Report _____

Print Name and Address of Person Making Report (if different from registered owner)

INSURANCE CERTIFICATION

Under penalties of perjury, I declare this vehicle is insured with the company named below, and I will maintain liability insurance throughout the registration period.

Name of Insurance Company

Signature of Owner

Date

FOR DMV USE ONLY

VIN NUMBER

NEW LICENSE PLATE NUMBER

BRANCH OFFICE SUBMITTING

SPECIALIST SIGNATURE

DATE OF REPORT

TIME OF REPORT

PLEASE PROVIDE CUSTOMER WITH A PHOTOCOPY OF THIS DOCUMENT.



South Carolina Department of Motor Vehicles

4057
(Rev. 4/06)

Application for Name and/or Address Change, Date of Birth and/or Social Security Correction, or Special Mailing

SC Code of Laws § 56-1-230 **Notification of change of address or name.** Whenever any person after applying for or receiving a driver's license shall move permanently from the address named in such application or in the license issued to him or when the name of a licensee is changed by marriage or otherwise, such person shall **within ten days** thereafter **notify the Department in writing of his old and new address or of such former and new name and of the number of any license then held by him.**

Please check and complete all sections that apply in black ink.

MY NAME ON RECORD WITH THE DEPARTMENT OF MOTOR VEHICLES IS:

Name: _____ Date of Birth: _____
Last First Middle Suffix

TITLE AND REGISTRATION INFORMATION

Customer No. _____ Vehicle Identification No. _____
License Plate No. _____ Make of Vehicle _____

DRIVER RECORD INFORMATION

Customer No. _____ Driver's License No. _____
Identification Card No. _____ Beginner Permit No. _____

NAME CHANGE (A court order or marriage license must accompany this form.)

I hereby request that my name in the SCDMV records be changed to:

_____ Last First Middle Suffix

RESIDENCE ADDRESS CHANGE - Address where you reside or the address where the company is located. Cannot be a PO Box. **My residence address is:**

HOUSED ADDRESS CHANGE - Address used for a vehicle that is primarily at an address different from the residence/company address. Example: company vehicle. **My housed address is:**

Street

City State Zip Code County

Street

City State Zip Code County

MAILING ADDRESS CHANGE - Address where you want SCDMV to send you mail. **My mailing address is:**

TEMPORARY ADDRESS CHANGE - Address where you will receive your mail on a temporary basis. **My temporary address is:** Temp. Expiration Date _____

Street

City State Zip Code County

Street

City State Zip Code County

DATE OF BIRTH CORRECTION

Date of Birth Shown on Department Records

Correct Date of Birth

Month Day Year

Month Day Year

Supporting documentation is required. Please see form MV-93 and MV-94 for a list of acceptable documents to justify the correction.

SOCIAL SECURITY NUMBER CORRECTION

Social Security Number Shown on Department Records

Correct Social Security Number

____ - ____ - _____

____ - ____ - _____

Supporting documentation is required. Please see form MV-93 and MV-94 for a list of acceptable documents to justify the correction.

MOTOR VOTER SECTION

NOTE: State Election Commission requires the customer to be physically present in the DMV office to update information with the Election Commission. Customers not transacting business in a DMV office should contact their County Board of Voter Registration to update voter registration information.

- Yes, I wish to update my address with the Election Commission (customer must be physically present in DMV field office).
- No, I do not wish to update my address with the Election Commission

I hereby state that all information given and statements made herein are true and correct, and these changes are being made without fraudulent purpose or intent.

Applicant's Signature _____

Date _____

Signature of DMV Customer Service Representative _____

Branch Office Name and Number _____

NOTE: Applications, with all needed supporting documents, may be mailed to:

**S.C. Department of Motor Vehicles
Alternative Media
PO Box 1498
Blythewood, SC 29016-0035**

SECTION VII

GLOSSARY OF TERMS

GLOSSARY OF TERMS

Dealer or Motor Vehicle Dealer refers to any person who sells or attempts to affect the sale of any motor vehicle in a calendar year.

Dealer License refers to a license issued to individuals authorizing them to sell motor vehicles.

Distributor refers to any person who sells or distributes new motor vehicles to motor vehicle dealers or who maintains distributor representatives within the state.

Distributor Branch refers to a branch office maintained by a distributor who sells or distributes new motor vehicles to motor vehicle dealers.

Distributor Representative refers to a representative employed by a distributor branch or distributor.

Fair Market Value refers to the total purchase price of a vehicle less the trade-in value.

Franchise refers to an oral or written arrangement for a definite or indefinite period in which a manufacturer, distributor, or wholesaler grants to a motor vehicle dealer a license to use a trade name, service mark, or related characteristic, and in which there is a community of interest in the marketing of motor vehicles or services related thereto at wholesale, retail, leasing or otherwise.

Franchisee refers to a motor vehicle dealer to whom a franchise is offered or granted.

Franchiser refers to a manufacturer, distributor, or wholesaler who grants a franchise to a motor vehicle dealer.

Fraud refers to a misrepresentation in any manner whether intentionally false or due to gross negligence of a material fact; a promise or representation not made honestly and in good faith; and intentional failure to disclose a material fact.

Gross Weight refers to the weight of a vehicle plus the weight of any load thereon.

Manufacturer refers to any person engaged in the business of manufacturing or assembling new and unused motor vehicles.

Moped refers to every cycle with pedals to permit propulsion by human power and with a motor of not more than 50 cubic centimeters which produces not more than two (2) brake horsepower and which is not capable of propelling the vehicle at a speed in excess of 30 miles per hour on level ground. If an internal combustion engine is used, the moped shall have a power drive system that functions directly or automatically without clutching or shifting by the operator after the drive system is engaged.

Motorcycle refers to a motorized cycle having no more than two (2) permanent functional wheels in contact with the ground or with a detachable side car or trailer and having a saddle for the use of the rider.

Motor Home refers to a vehicular unit designed to provide temporary living quarters built into an integral part of or permanently attached to a self-propelled motor vehicle chassis or van which contains permanently installed independent life support systems other than low voltage meeting the American National Standards Institute (ANSI) A 119.2 Standard for Recreational Vehicles and provides at least four of the following facilities: cooking with on-board power source separate from the vehicle engine; a portable water supply system including a faucet, sink, and water tank with an exterior service connection; separate 110-125-volt electric power supply.

Motor Vehicle refers to any motor-driven vehicle required to be registered and every vehicle which is self-propelled, except mopeds, and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails.

New Motor Vehicle refers to a motor vehicle which has not been previously sold to any person except a distributor or wholesaler or motor vehicle dealer for resale.

Non-Resident refers to any person who is not a resident of this state.

Odometer refers to an instrument for measuring and recording the actual distance a vehicle travels while in operation; not any instrument designed to be reset by the operator.

Odometer Disclosure Statement refers to a statement certified by the owner of the motor vehicle to the transferee or the DMV indicating the odometer reading of the vehicle.

Odometer Reading refers to the actual cumulative distance traveled that is shown on the odometer.

Owner refers to a person who holds the legal title of a vehicle.

Permanently Installed refers to built into or attached as an integral part of a chassis or van and designed not to be removed except for repair or replacement. A system which is readily removable or held in place by clamps or tie downs is not permanently installed.

Person refers to a natural person, corporation, partnership, trust or other entity, and in the case of an entity, it shall include any other entity in which it has a majority interest or effectively controls as well as the individual officers, directors, and other persons in active control or the activities of any such entity.

Sale refers to the issuance, transfer, agreement for transfer, exchange, pledge, hypothecation or mortgage in any form whether by transfer in trust or otherwise of any motor vehicle or interest therein or of any franchise related thereto; any option, subscription or other contract, or solicitation, looking to a sale, or offer or attempt to sell in any form whether spoken or written. A gift or delivery of any motor vehicle or franchise with respect thereto with, or as a bonus on account of the sale of anything shall be deemed a sale of such motor vehicle or franchise.

Semi Trailer refers to every vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so

constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.

Three-Wheel Vehicle (Trike) refers to every motor vehicle having no more than three (3) permanent functional wheels in contact with the ground and having a seat or saddle for the use of the operator, but excluding a tractor.

Total Purchase Price refers to the price of a motor vehicle, motorcycle, boat, motor or airplane that was agreed upon by the buyer and the seller. This price allows for a trade-in value.

Trailer refers to every vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

Travel Trailer refers "Travel trailer" means every vehicle (except motor homes) designed without motor power towed by a motor vehicle and not measuring more than 8ft. wide or 35ft. long in travel mode, designed to provide temporary living quarters for recreational, camping, and travel use and designed not to require permanent on-site utilities.

Truck refers to every motor vehicle designed, used, or maintained primarily for the transportation of property.

Truck Tractor refers to every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

Used Motor Vehicle refers to a vehicle that was previously titled to another owner one or more times.

Vehicle refers to every device in, upon or by which any person or property is or may be transported or drawn upon a highway, except devices moved by human power or used exclusively upon stationary rails or tracks.

Wholesaler or Motor Vehicle Wholesaler refers to any person who sells or attempts to sell used vehicles exclusively to motor vehicle dealers or other wholesalers.

Wholesale License refers to a license issued to individuals authorizing them to sell motor vehicles to dealers or other wholesalers.

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