

AN ACT

ENTITLED, An Act to define a sell-it-yourself lot.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That chapter 32-6B be amended by adding thereto a NEW SECTION to read as follows:

No sell-it-yourself lot operator may engage in the following business activities concerning any vehicle on a sell-it-yourself lot premises, unless licensed in accordance with the provisions of this chapter:

- (1) Sell, offer to sell, or negotiate the sale of any vehicle;
- (2) Buy, offer to buy, or negotiate the purchase of any vehicle;
- (3) Make any comments about the appearance, condition, or reputation of any vehicle;
- (4) Communicate the name, address, or phone number of the owner of any vehicle to a potential customer. However, the vehicle and ownership information can be provided to a potential customer by means of a sign or information sheet placed in or on the vehicle by its owner;
- (5) Advertise any of the following:
 - (a) The price, mileage, or the condition of a vehicle; or
 - (b) The name or the telephone number of a vehicle's owner;
- (6) Authorize the test drive of any vehicle;
- (7) Take possession of the keys of a vehicle for any purpose; or
- (8) Sell, offer to sell, or facilitate the sale of any financing package or warranty package for any vehicle on the sell-it-yourself lot.

A sell-it-yourself lot operator who engages in a business activity prohibited by this section without being licensed in accordance with chapter 32-6B is guilty of a Class 1 misdemeanor. A second or subsequent conviction for a violation by a sell-it-yourself lot operator who engages in a business

activity prohibited by this section without being licensed in accordance with chapter 32-6B is guilty of a Class 6 felony.

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I certify that the attached Act
originated in the

HOUSE as Bill No. 1298

Chief Clerk
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Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1298

File No. _____

Chapter No. _____

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Received at this Executive Office
this ____ day of _____ ,

19__ at ____ M.

By _____
for the Governor
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The attached Act is hereby
approved this _____ day of
_____, A.D., 19__

Governor
=====

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

Filed _____, 19__
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State