

# State of South Dakota

SEVENTY-THIRD SESSION  
LEGISLATIVE ASSEMBLY, 1998

555B0800

## HOUSE BILL NO. 1298

Introduced by: Representative Napoli and Senator Rounds

1 FOR AN ACT ENTITLED, An Act to require certain operators selling vehicles at a  
2 sell-it-yourself lot to obtain a license.

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

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

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

- 9 (1) Sell, offer to sell, or negotiate the sale of any vehicle;
- 10 (2) Buy, offer to buy, or negotiate the purchase of any vehicle;
- 11 (3) Make any comments about the appearance, condition, or reputation of any vehicle;
- 12 (4) Communicate the name, address, or phone number of the owner of any vehicle to a  
13 potential customer. However, the ownership information can be provided to a  
14 potential customer by means of a sign placed in or on the vehicle by its owner;
- 15 (5) Advertise a vehicle in any manner either as part of a group or individually, or as an  
16 agent for the owner;

1       (6)     Authorize the test drive of any vehicle; or

2       (7)     Take possession of the keys of a vehicle for any purpose.

3       A sell-it-yourself lot operator who engages in a business activity prohibited by this section

4     without being licensed in accordance with this chapter is guilty of a Class 6 felony.