

Title 31 - Housing and Redevelopment
CHAPTER 17.
MOBILE HOMES AND HOUSE TRAILERS
ARTICLE 3.
LICENSING OF MOBILE HOMES

SECTION 31-17-310. "Mobile home" defined.

"Mobile home" as used in this article shall have the meaning assigned in Section 31-17-20.

SECTION 31-17-320. License required for mobile homes; proof of title required; proof of license required prior to connecting electricity.

(A) Within fifteen days after bringing a mobile home into this State, or the purchase of a mobile home in this State, or the relocation of a mobile home from one county to another within this State, for dwelling purposes, the owner, rental agent, or person in possession shall obtain a license from the governing body of the county or its designated agent hereinafter referred to as licensing agent, in which such mobile home is located.

(B) Before issuing a license for a mobile home to be located in any county in this State, the licensing agent shall require from the person applying for the license either a copy of the certificate of title to the mobile home, or a copy of the completed application for a certificate of title submitted to the Department of Motor Vehicles. Upon satisfaction of all county licensing requirements, including payment of any licensing fee, the county licensing agent shall give the license applicant a certified copy of the application form, indicating that the licensing requirements have been met.

(C) Before connecting electricity to any mobile home in this State, the electric supplier shall obtain from the owner, rental agent, or person in possession of the mobile home, a copy of the certified license application form indicating that the license fee has been paid, and the electric supplier shall retain a copy of the form in its records.

SECTION 31-17-330. Exceptions.

No such license shall be required with respect to mobile homes held by dealers for resale, nor shall this article be applicable to mobile homes licensed by the South Carolina Department of Motor Vehicles. Licenses required by this article shall be in lieu of any building or construction permit now required by local act or ordinance.

SECTION 31-17-340. Period of validity of license issued by licensing agent; decal; license fee.

A mobile home license issued by the licensing agent shall be valid until title to such mobile home is transferred to a new owner or until the mobile home is relocated. The license shall be evidenced by a decal to be delivered to the owner or his agent on a form as shall be prescribed by the Department of Revenue and shall be displayed on the mobile home so as to be clearly and readily visible from the outside. The fee for a mobile home license shall be five dollars. The fee shall be collected by the licensing agent issuing the license and shall be paid into the general fund of the county.

SECTION 31-17-350. New license required upon transfer of mobile home.

If the title to a mobile home is transferred to a new owner, the new owner or his agent shall within fifteen days after the date of such transfer, obtain a new license from the licensing agent of the county in which the mobile home is to be located.

SECTION 31-17-360. Moving permit; certificate concerning taxes; notice to electric supplier.

If the mobile home is to be relocated, the owner, rental agent, or person in possession, prior to relocation, shall obtain a moving permit from the licensing agent. Before issuing a moving permit, the licensing agent shall require a certificate from the county treasurer that there are no unpaid taxes due on the mobile home and either a copy of the certificate of title to the mobile home, or a copy of the application for a certificate of title submitted to the Department of Motor Vehicles. If the mobile home is to be removed beyond the boundaries of the county, any taxes that have been assessed for that calendar year must be paid in full, and if taxes have not yet been assessed for the calendar year in which the move is being made, the assessor shall provide the county auditor with an assessment and the auditor shall apply the previous year's millage. The county treasurer shall collect the taxes before issuing the requisite certificate to the licensing agent, and upon payment of any taxes, give the permit applicant a receipt showing that all taxes have been paid.

The licensing agent shall promptly notify the present electric supplier that a permit has been issued. The permit required by this section is not required of mobile home dealers when they are moving a mobile home from their sales lot to a customer's lot, but the mobile home dealer is not relieved from obtaining any permit required from the Department of Transportation for the relocation.

SECTION 31-17-370. Permit shall accompany mobile home during move; regulations; responsibility for displaying permit.

The moving permit shall accompany the mobile home while it is being moved. The moving permit shall be designed and displayed in accordance with regulations to be issued by the South Carolina Department of Revenue, which shall adopt such regulations as may be necessary to insure uniform licensing and moving permit procedures. It shall be the responsibility of the mobile home transporter that the required moving permit is properly displayed and accompanies the mobile home while it is being moved.

SECTION 31-17-380. Submission of moving permit to licensing agent of new county; issuance of new license; transmission of papers to new county.

If the relocation is from one county to another, the owner, rental agent, or person in possession of the mobile home, within fifteen days after his mobile home is relocated, shall submit the moving permit to the licensing agent of the county in which the mobile home is relocated and obtain a new license pursuant to Section 31-17-320. The licensing agent issuing the moving permit shall promptly furnish the licensing agent of the county to which the mobile home is being transported with a copy of the certified license application or permit, a copy of the paid tax receipt from the county from which the home is being moved, and either a copy of the certificate of title or a copy of the completed application for a certificate of title submitted to the Department of Motor Vehicles.

SECTION 31-17-390. Copies of applications and permits to be given to county assessor and county auditor.

A copy of all license applications and moving permits must be furnished to the county assessor and the county auditor within ten days of date of issuance.

SECTION 31-17-400. Penalty.

Any person violating any of the provisions of this article, shall be deemed guilty of a misdemeanor and upon conviction shall be fined not more than two hundred dollars.

SECTION 31-17-410. Submission to county auditor of copy of application for title on mobile or manufactured home; penalties for noncompliance.

(A) Contemporaneously with the submission of an application for a certificate of title on a mobile or manufactured home as required by Section 56-19-240, the person submitting the application shall

provide to the auditor of the county in which a mobile or manufactured home is to be located, a copy of the completed application submitted to the Department of Motor Vehicles.

(B) It is unlawful for a person applying for a title for a mobile or manufactured home to fail to provide a copy of the application to the appropriate county auditor. A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or imprisonment for not more than thirty days.

SECTION 56-19-240. Application for certificate; form and contents.

(1) An application for a certificate of title for a vehicle in this State must be made by the owner to the Department of Motor Vehicles on the form it prescribes and must contain or be accompanied by:

(a) the name and residence and mailing address of the owner;

(b) a description of the vehicle, including, so far as the following data exists, its make, model, year, vehicle identification number, type of body, odometer reading at the time of application, and whether new or used;

(c) the date of acquisition by applicant, the name and address of the person from whom the vehicle was acquired, and the names and addresses of any lienholders in the order of their priority and the dates of their security agreements;

(d) an odometer disclosure statement made by the transferor of the vehicle and acknowledged by the transferee. The statement must be in compliance with federal guidelines and as prescribed by the department. Where more than one transfer has intervened between the previous certificate of title and the application for a new certificate of title, it must be shown that the certificate of title has been signed by the owner or by the owner's attorney in fact, and there must be for each intervening transfer thereafter a bill of sale in a form approved by the department, including a completed odometer disclosure statement. Additionally, the odometer disclosure statement on the application form must be completed by the applicant;

(e) any further information or documentation the department reasonably requires to enable it to determine: the identity of the vehicle, whether the owner is entitled to a certificate of title, the existence or nonexistence of security interests in the vehicle, and the accuracy of the odometer disclosure statement.

(2) If the application is not for the first certificate of title, it shall be accompanied by the last certificate of title previously issued for the vehicle, whether issued by this State or another state or country.

(3) If the application refers to a vehicle purchased from a dealer, it shall contain the name and address of any lienholder holding a security interest created or reserved at the time of the sale and the date of his security agreement and be signed by the dealer as well as the owner, and the dealer shall promptly mail or deliver the application to the department. If the application refers to a new vehicle purchased from a dealer, the application shall also be accompanied by the manufacturer's certificate of origin.

(4) A person who knowingly gives a false statement on the application or knowingly gives a false statement concerning the odometer reading on an odometer disclosure statement is guilty of a misdemeanor and, upon conviction, is subject to a fine of up to one thousand dollars or imprisonment of up to one year, or both. These penalties are in addition to the penalties provided by the federal odometer law 49 U.S.C. 32701-32711 (Title 49, Subtitle VI, Part C, Chapter 327).

(5) In addition to the other information required in an application, the application for title for a mobile or manufactured home must include the address of the site on which the home is to be placed if different from the owner's address.