

# State of South Dakota

SEVENTY-NINTH SESSION  
LEGISLATIVE ASSEMBLY, 2004

447J0550

HOUSE TRANSPORTATION COMMITTEE  
ENGROSSED NO. **HB 1196** - 02/02/2004

Introduced by: Representatives Weems, Pederson (Gordon), Peterson (Jim), and Rounds and  
Senators Napoli, Abdallah, and Moore

1 FOR AN ACT ENTITLED, An Act to require certain auction agencies to disclose damage  
2 statements or damage notations listed on the title.

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 If any motor vehicle has a title that has been marked by this state or another state or  
7 jurisdiction denoting any brand or damage and that motor vehicle is offered for sale by a dealer's  
8 car auction agency, the auction agency shall announce at the time of the sale that such brand or  
9 damage notation is listed on the title. If the auction agency fails to comply with this section, the  
10 purchaser of the motor vehicle may return the motor vehicle to the auction agency within ten  
11 days after receiving the title, and the auction agency shall make a full refund to the purchaser.

