

# State of South Dakota

EIGHTIETH SESSION  
LEGISLATIVE ASSEMBLY, 2005

474L0424

HOUSE TRANSPORTATION COMMITTEE  
ENGROSSED NO. **HB 1171** - 02/02/2005

Introduced by: Representatives Weems, Faehn, Gassman, Krebs, Lange, Miles, Pederson (Gordon), Schafer, Sebert, and Willadsen and Senators Gant, Bartling, Kelly, and Sutton (Duane)

1 FOR AN ACT ENTITLED, An Act to permit certain dealers or public auctions to sell  
2 snowmobiles and vehicles on consignment.

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

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

6 Any snowmobile dealer or public auction may sell, or offer to sell, new or used snowmobiles  
7 on consignment. For the purposes of this chapter, consignment means the delivery of a  
8 snowmobile by the owner into the possession of another without transfer of title for the purpose  
9 of sale or where there is any condition that the purchaser does not have an absolute obligation  
10 to pay for the snowmobile or has a right to return the snowmobile to the seller. Any snowmobile  
11 dealer or public auction who sells, or offers to sell, a South Dakota titled snowmobile on  
12 consignment shall enter into a contract with the consignor. The department shall prescribe the  
13 form of the contract.

14 Section 2. That chapter 32-6C be amended by adding thereto a NEW SECTION to read as



1 follows:

2 No person may sell or offer to sell a snowmobile, to which a manufacturer's statement of  
3 origin has not been transferred, on consignment.

4 Section 3. That § 32-6B-3 be amended to read as follows:

5 32-6B-3. Any ~~vehicle~~ dealer or public auction may sell, or offer to sell, new or used vehicles  
6 on consignment. For the purposes of this chapter, consignment means the delivery of a vehicle  
7 by the owner into the possession of another without transfer of title for the purpose of sale or  
8 where there is any condition that the purchaser does not have an absolute obligation to pay for  
9 the vehicle or has a right to return the vehicle to the seller. Any ~~vehicle~~ dealer or public auction  
10 who sells, or offers to sell, South Dakota titled vehicles on consignment shall enter into a  
11 contract with the consignor. The department shall prescribe the form of the contract.