



STATE OF SOUTH CAROLINA DEPARTMENT OF CONSUMER AFFAIRS

Renewal Motor Vehicle Dealer Closing Fee Filing

S.C. Code Ann. § 37-2-307 et seq. (Supp. 2004)

www.sccoconsumer.gov

803-734-4264/800-922-1594

Mailing Address

P.O. Box 5246
Columbia, SC 29250-5246

Street Address

3600 Forest Drive
Columbia, SC 29204-4006

NOTE: THIS ORIGINAL FORM MUST ACCOMPANY A \$10.00 FILING FEE

Federal ID No. _____
SSN (Sole Proprietor Only) _____ - _____
Registration No. _____
Contact Person _____
Telephone No. () - _____

Disclosure of Closing Fees Notice

This dealership charges closing fees on a motor vehicle sales contract. It is a charge that is permitted but not required by law (Section 37-2-307). The full cash price charged at any dealership depends on many factors, including all products and services bought with the vehicle.

The closing fee charged by

Dealer Name _____
Physical Address _____
City, State Zip _____

Mailing Address _____
E-Mail Address _____

Will not exceed \$ _____

Expires June 30 of next fiscal year

Signature _____

Name of Officer (Typed) _____

Title _____

Date _____

The South Carolina Freedom of Information Act may require the Department to release a copy of your filing as a public record. Personal identifying information will be released only if required by law.

(Display in a conspicuous location of dealership)

For Department's Use

Instructions

1. Please complete the disclosure of closing fees notice, if your dealership intends to charge closing fees on motor vehicle sales. **Submit the original filing form and a \$10.00 check or money order, payable to the South Carolina Department of Consumer Affairs (SCDCA), PO Box 5246, Columbia SC 29250-5246, Attn: Accounting Section.** See Administrative Interpretation summary below.
2. **The department must receive the original filing and filing fee before dealers can charge this closing fee to consumers. While filings may be made at any time, the department's renewal season runs from November 1 through January 31 of each year. Dealers are required to file a new disclosure form and submit an additional \$10.00 filing fee anytime the dealership increases the closing fee amount.**
3. Please call the Accounting and Regulatory Filing Section at (803) 734-4264 with any questions.

Consumer Protection Code (§ 37-2-307)

In Part II, §82 of the 2000-2001 General Appropriations Act, the General Assembly passed an amendment to the Consumer Protection Code to add §37-2-307 which reads as follows:

Every motor vehicle dealer charging closing fees on a motor vehicle sales contract shall pay a one-time registration fee of ten dollars during each state fiscal year to the Department of Consumer Affairs. The closing fee must be included in the advertised price of the motor vehicle, disclosed on the sales contract and displayed in a conspicuous location in the motor vehicle dealership.

Administrative Interpretation 2.307-0101

The assessment of a "closing" or "documentation" fee (also occasionally denominated as an "administrative," "processing," or "procurement" fee) in a consumer credit sale of a motor vehicle is dependent on four factors:

1. The dealer must pay the department a \$10.00 filing fee each state fiscal year prior to the assessment of a closing fee;
2. The existence of a closing fee must be disclosed on the sales contract;
3. The closing fee must be disclosed as a statement conspicuously located in the dealership;
4. The closing fee must be included in the advertised price, for advertised vehicles, if a closing fee is charged.

A closing fee may only be assessed once these factors are met and the dealership has in its possession a SCDCA certified, date stamped copy of its disclosure. The charging of "closing," "documentation," or similar fees in connection with a consumer credit sale of a motor vehicle in the absence of any of these requirements constitutes the charging of an excess charge for Consumer Protection Code purposes.

Internet Download Instructions

From www.sccoconsumer.gov home page, scroll down left side of page and click on "Licensing, Registrations & Filings." From this page click on "Motor Vehicle Dealers Closing Fees." Underneath the code, choose either the "PDF Version" or "MS Word Version" of the filing form. Please make sure that your printed copy is legible. Illegible or unclean copies will be returned.