

1979 S.C. Op. Atty. Gen. 27 (S.C.A.G.), 1979 S.C. Op. Atty. Gen. No. 79-16, 1979 WL 29022

Office of the Attorney General

State of South Carolina

Opinion No. 79-16

January 29, 1979

***1 SUBJECT: Mobile Homes—Moving Permit for Mobile Homes Accepted in Trade.**

A moving permit would not generally be required to ‘relocate’ a mobile home owned by and accepted by a dealer as part of the purchase price of another mobile home. If, however, the mobile home is to be delivered to the dealer at a location different from that on the license, a permit would be required.

TO: Honorable Jimmie Davenport
Assessor of Newberry County

QUESTION:

Is a moving permit required when a mobile home is received as a ‘trade-in’ by a dealer as part of the price of another mobile home?

APPLICABLE LAW:

[Section 31–17–330](#) and [31–17–360](#) of the [1976 Code](#) of Laws.

DISCUSSION:

The moving permit is required for mobile homes that are licensed in accordance with § 31–17–320. No license is, however, required ‘with respect to mobile homes held by dealer for resale * * *’.

It is assumed for purposes of this Opinion that the mobile home obtained by the dealer is held for resale. Under such assumption, no license would be required.

In considering the question, it is thus necessary to determine the place of sale of the mobile home to the dealer. This normally would be at the location of the mobile home when last owned by the purchaser. Under such circumstances, no permit would be required for the mobile home dealer to move the mobile home from that location to another.

If, however, the person is required to deliver the mobile home to the dealer at a location other than that provided in the license, then a moving permit would be necessary

CONCLUSION:

A moving permit would not generally be required to ‘relocate’ a mobile home owned by and accepted by a dealer as part of the purchase price of another mobile home. If, however, the mobile home is to be delivered to the dealer at a location different from that on the license, a permit would be required.

Joe L. Allen, Jr.
Deputy Attorney General

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