



State of South Carolina
Office of the Governor

MARK SANFORD
GOVERNOR

POST OFFICE BOX 12267
COLUMBIA 29211

May 12, 2010

The Honorable Robert W. Harrell, Jr.
Speaker of the House of Representatives
Post Office Box 11867
Columbia, South Carolina 29211

Dear Mr. Speaker and Members of the House:

I am vetoing and returning without my approval H. 4607, R. 203, which unduly interferes with the business relationships between automobile retailers and consumers.

Our administration has consistently pointed to the fact that government mandates on the private sector have a cost both in the commercial marketplace and on individual liberty. We believe that only in the event of a compelling societal need should the state use force to compel private action. We realize the need for the state to ensure that businesses do not make false or deceptive advertisements in an attempt to take advantage of consumers, but we believe H. 4607 goes well beyond merely ensuring consumers are aware of the details of their business transactions by restricting a car dealers' ability to promote their products in the manner they wish. This notion of "as they wish" rather than "as prescribed by law" is a linchpin of economic freedom vital to a vibrant and creative commercial marketplace.

H. 4607 requires several things of automobile retailers. The bill requires that when retailers advertise their products, print advertisements must be of a certain length and font size, and broadcast advertisements must be made at a particular volume and pace. For the law to dictate the voice cadence of a car advertisement is ridiculous. Additionally, the bill dictates to retailers how they may calculate discounts and sales prices. Should we do this next for every advertisement for clothes, CDs, DVDs, or wigs? With all due respect to the General Assembly, we believe it would be more prudent to leave the details of how an automobile retailer promotes its products to the retailer's discretion.

South Carolina's existing consumer protection laws, not to mention several federal laws, prohibit businesses from making advertisements that are false, deceptive, or misleading. We believe existing laws provide sufficient protection for consumers, and we would prefer that the state not intrude further into these private business transactions.

For these reasons, I am vetoing and returning without my approval H. 4607, R. 203.

Sincerely,

A handwritten signature in black ink, appearing to be "Mark Sanford".

Mark Sanford