

Session 117 - (2007-2008)

H*4363 (Rat #0326, Act #0279 of 2008) General Bill, By Harrison, G.M. Smith, Delleney, Bales, McLeod, Hart and Weeks

Summary: Department of Motor Vehicles

AN ACT TO AMEND SECTION 1-23-660, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF THE DIVISION OF MOTOR VEHICLE HEARINGS WITHIN THE ADMINISTRATIVE LAW COURT, SO AS TO MAKE TECHNICAL CHANGES, DELETE THE PROVISION THAT REQUIRES THE ADMINISTRATIVE LAW COURT TO HIRE AND SUPERVISE A LAW CLERK TO ASSIST THE JUDGES WHO HEAR DEPARTMENT OF MOTOR VEHICLE HEARING APPEALS WITH THE ADMINISTRATION OF THOSE APPEALS, TO PROVIDE THE PROCEDURE THAT THE DEPARTMENT OF MOTOR VEHICLES MUST FOLLOW TO APPEAL A DECISION WHEN IT ELECTS TO NOT APPEAR AT CERTAIN HEARINGS, TO DELETE THE PROVISION THAT REQUIRES THE DEPARTMENT OF MOTOR VEHICLES TO PROVIDE FACILITIES FOR CERTAIN ADMINISTRATIVE HEARINGS, TO PROVIDE THAT THE STATE ETHICS COMMISSION IS RESPONSIBLE FOR THE ENFORCEMENT AND ADMINISTRATION OF CERTAIN APPELLATE COURT RULES AND FOR THE ISSUANCE OF CERTAIN ADVISORY OPINIONS, TO PROVIDE THAT CERTAIN PERSONS MAY ATTEND CERTAIN JUDICIAL-RELATED OR BAR-RELATED FUNCTIONS, AND TO DELETE THE PROVISION THAT ALLOWS THE CHIEF ADMINISTRATIVE LAW JUDGE TO ADJUDICATE CASES UNDER SECTION 1-23-600; TO AMEND SECTION 56-1-10, AS AMENDED, RELATING TO THE DEFINITION OF TERMS RELATING TO MOTOR VEHICLES, SO AS TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 56-1-170, RELATING TO THE ISSUANCE OF RESTRICTED DRIVER'S LICENSE, SO AS TO DELETE THE PROVISION THAT PROVIDES THAT A HOLDER OF A RESTRICTED DRIVER'S LICENSE IS ENTITLED TO A HEARING UPON A SUSPENSION OR REVOCATION OF HIS LICENSE, AND TO PROVIDE THAT A HOLDER OF THE LICENSE MAY REQUEST A HEARING BEFORE THE OFFICE OF MOTOR VEHICLE HEARINGS UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 56-1-820, RELATING TO A DRIVER'S LICENSE HOLDER'S REQUEST FOR A HEARING AFTER HAVING RECEIVED A NOTICE OF SUSPENSION, SO AS TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 56-1-1030, AS AMENDED, RELATING TO THE REVOCATION OF THE LICENSE OF AN HABITUAL OFFENDER, SO AS TO MAKE TECHNICAL CHANGES, AND TO PROVIDE THAT THE OFFICE OF MOTOR VEHICLE HEARINGS HAS EXCLUSIVE JURISDICTION TO CONDUCT AN HABITUAL OFFENDER DRIVER'S LICENSE REVOCATION HEARING; TO AMEND SECTION 56-1-1090, AS AMENDED, RELATING TO THE ISSUANCE OF A DRIVER'S LICENSE TO AN HABITUAL OFFENDER, SO AS TO MAKE TECHNICAL CHANGES, AND TO REVISE THE CIRCUMSTANCES UPON WHICH AN HABITUAL OFFENDER MAY BE ISSUED A DRIVER'S LICENSE OR ALLOWED TO OPERATE A MOTOR VEHICLE; TO AMEND SECTION 56-5-2952, AS AMENDED, RELATING TO THE FILING FEE TO REQUEST AN ADMINISTRATIVE HEARING, SO AS TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 56-9-60, AS AMENDED, RELATING TO SELF-INSURER'S FOR MOTOR VEHICLES, SO AS TO MAKE TECHNICAL CHANGES RELATING TO THE CANCELLATION OF A SELF-INSURER'S STATUS; TO AMEND SECTION 56-9-363, AS AMENDED, RELATING TO CERTAIN FORMS PRESCRIBED BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 56-10-510, RELATING TO THE REGISTRATION OF AN UNINSURED MOTOR VEHICLE, SO AS TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 56-10-530, RELATING TO AN UNINSURED VEHICLE INVOLVED IN CERTAIN ACCIDENTS, SO AS TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 56-15-350 AND SECTION 56-16-180, BOTH AS AMENDED, RELATING TO THE DENIAL OF, THE ISSUANCE OF, SUSPENSION, AND REVOCATION OF A DRIVER'S LICENSE, SO AS TO MAKE TECHNICAL CHANGES; BY ADDING SECTION 27-21-22 SO AS TO PROVIDE THAT A SHERIFF, POLICE CHIEF, OR A DESIGNEE MAY SELL AT PUBLIC AUCTION CERTAIN RECOVERED PROPERTY; AND TO AMEND SECTION 27-21-20, RELATING TO THE DISPOSITION OF PROPERTY RECOVERED BY A SHERIFF OR POLICE CHIEF, SO AS TO REVISE THE PROCEDURE WHEREBY AN OWNER OF RECOVERED PROPERTY MUST BE PROVIDED NOTICE THAT HIS PROPERTY HAS BEEN RECOVERED AND THAT THE PROPERTY MAY BE SOLD AT AUCTION. -

ratified title

12/12/07	House	Prefiled
12/12/07	House	Referred to Committee on Judiciary
01/08/08	House	Introduced and read first time HJ-45
01/08/08	House	Referred to Committee on Judiciary HJ-47
02/06/08	House	Committee report: Favorable with amendment Judiciary HJ-27
02/07/08	House	Member(s) request name added as sponsor: McLeod, Hart, Weeks
02/07/08		Scrivener's error corrected
02/12/08	House	Amended HJ-22

02/12/08	House	Read second time HJ-29
02/13/08	House	Read third time and sent to Senate HJ-12
02/13/08	Senate	Introduced and read first time SJ-19
02/13/08	Senate	Referred to Committee on Judiciary SJ-19
02/13/08		Scrivener's error corrected
02/22/08	Senate	Referred to Subcommittee: Martin (ch), Ford, Ritchie, Knotts, Cleary
05/07/08	Senate	Committee report: Favorable with amendment Judiciary SJ-10
05/08/08		Scrivener's error corrected
05/13/08	Senate	Committee Amendment Adopted SJ-15
05/13/08	Senate	Amended SJ-15
05/13/08	Senate	Read second time SJ-15
05/14/08		Scrivener's error corrected
05/14/08	Senate	Read third time and returned to House with amendments SJ-16
05/22/08	House	Debate adjourned on Senate amendments until Tuesday, May 27, 2008 HJ-103
05/27/08	House	Concurred in Senate amendment and enrolled HJ-32
05/29/08		Ratified R 326
06/04/08		Signed By Governor
06/13/08		Copies available
06/13/08		Effective date 10/01/08
06/17/08		Act No. 279