Agency Name: Department of Motor Vehicles

Statutory Authority: 56-3-10 et seq.

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House Committee: Regulations and Administrative Procedures Committee

Senate Committee: Transportation Committee

Status: Withdrawn

Subject: License Plates

History: 5227

By Date Action Description Jt. Res. No. Expiration Date

- 08/25/2023 Proposed Reg Published in SR

- 01/09/2024 Received President of the Senate & Speaker 05/08/2024

H 01/09/2024 Referred to Committee

S 01/09/2024 Referred to Committee

S 02/22/2024 Resolution Introduced to Approve 1090

- 04/10/2024 Agency Withdrawal

 120 Day Period Tolled

- 04/10/2024 Permanently Withdrawn

Document No. 5227

**DEPARTMENT OF MOTOR VEHICLES**

CHAPTER 90

Statutory Authority: 1976 Code Sections 56‑3‑10, et seq.

90‑600. Motor Vehicles License Plates for Members of Congress of the United States. (New)

90‑601. Issuance and Use of Specially Designated Motor Vehicle License Plates for Members of the South Carolina General Assembly. (New)

90‑602. Special License Plates for Various State Officials. (New)

**Synopsis:**

 2003 Act No. 51, §3 created the South Carolina Department of Motor Vehicles (SCDMV) and transferred all functions, powers, duties, responsibilities, and authority statutorily exercised by the Motor Vehicle Division and the Motor Carrier Services unit with the South Carolina Department of Public Safety (SCDPS) to the SCDMV. At the time of the split of the SCDMV from the SCDPS, the regulations regarding the two agencies were not divided within the South Carolina Code of Regulations. Therefore, the SCDMV proposes to promulgate regulations that are still maintained within the South Carolina Code of Regulations Chapter pertaining to SCDPS that apply to SCDMV in true function. Specifically, this promulgation pertains to regulations currently contained at S.C. Reg. 38‑100 through 38‑102. The SCDMV proposes to promulgate similar regulations in SCDMV Chapter of the South Carolina Code of Regulations.

 The Notice of Drafting was published in the *State Register* on July 28, 2023.

Section‑by‑Section Discussion:

Create a new Article 6 to Chapter 90 of the South Carolina Code of Regulations titled “Special License Plates for Public Officials.”

**Instructions:**

 Print the regulation as shown below. All other items remain unchanged.

~~Indicates Matter Stricken~~

Indicates New Matter

**Text:**

ARTICLE 6

SPECIAL LICENSE PLATES FOR PUBLIC OFFICIALS

90‑600. Motor Vehicles License Plates for Members of Congress of the United States.

 A. United States Representatives and Senators from South Carolina may apply to the Department of Motor Vehicles to receive special license plates for their or their authorized user’s private passenger motor vehicles that say “Member U.S. Congress” or “Member U.S. Senate” depending upon the office held by the applicant. The Representative or Senator must pay the regular registration fee and the personalization fee as required by law provided that the fee is commensurate with an annual registration. The plates must be numbered to align with the congressional districts in the State of South Carolina, with the number of the applicable district being assigned to the Representative from that district. The plates must be numbers with 1 and 2 in the case of those designated to Senators. The license plates assigned to Senators must be issued in the order of seniority.

 B. Representatives and Senators issued license plates under this section may transfer them to new vehicles determined by the Representative or Senator provided that all other applicable requirements are met.

 C. The Department of Motor Vehicles must immediately invalidate special license plates issued under this section upon expiration of the term of office, resignation, or death of the holder. It is the responsibility of the vehicle owner to ensure their vehicle remains properly registered for operation on the highways of this State.

 D. All license plates issued under this section expire on the 31st day of January of each year.

 E. Nothing in this section may be construed as affecting the license and registration fees to be paid on the vehicles involved, provided that those fees are equivalent to the annual registration time period if applicable, nor in any way to otherwise relieve the owners from complying with all provisions of the law relating to the licensing and registration of vehicles in South Carolina.

90‑601. Issuance and Use of Specially Designated Motor Vehicle License Plates for Members of the South Carolina General Assembly.

 A. South Carolina Representatives and Senators in the General Assembly may apply to the Department of Motor Vehicles to receive special license plates for their or their authorized user’s private passenger motor vehicles that say “Legislator” or “Senator” depending upon the office held by the applicant. The Representative or Senator must pay the regular registration fee and the personalization fee as required by law provided that the fee is commensurate with an annual registration. License plates for Members of the South Carolina House of Representatives are numbered 1 through 124. License plates for Members of the South Carolina Senate are numbered 1 through 46. The Department of Motor Vehicles must assign and issue the plate numbers for the General Assembly based on the applicant’s seniority in the respective chamber with “1” being the most senior members. The Department of Motor Vehicles may issue no more than three license plates per Member, regardless of Chamber, and the Department is responsible for assigning unique identifiers for members who receive more than one license plate.

 B. Members of the General Assembly issued license plates under this section may transfer to new vehicles determined by the Member of the General Assembly provided that all other applicable requirements are met.

 C. The Department of Motor Vehicles must immediately invalidate special license plates issued under this section upon expiration of the term of office, resignation, or death of the holder. It is the responsibility of the vehicle owner to ensure their vehicle remains properly registered for operation on the highways of this State.

 D. All license plates issued under this section expire on the 31st day of January of each year.

 E. Nothing in this section may be construed as affecting the license and registration fees to be paid on the vehicles involved, provided that those fees are equivalent to the annual registration time period if applicable, nor in any way to otherwise relieve the owners from complying with all provisions of the law relating to the licensing and registration of vehicles in South Carolina.

90‑602. Special License Plates for Various State Officials.

 A. Duly elected State Constitutional Officers may apply to the Department of Motor Vehicles to receive special license plates for their private passenger motor vehicles that bear the title of the office holder or any other numerical designation approved by the State Constitutional Officer and the Department; to duly elected members of Statewide Commissions and the numerical designation of the district or circuit which such member represents; or to any past Governor of South Carolina which bears a combination of the date, as determined by the applicant and the Department that denotes the Governor’s time in office. The fee for the issue of such special plates shall be the regular motor vehicle registration fee as set forth in Article 5 of Chapter 3 of Title 56 of the 1976 Code.

 B. Members of the South Carolina Supreme Court, South Carolina Court of Appeals, South Carolina Circuit Court, South Carolina Family Court, other South Carolina courts, and qualified residents of any Federal Judiciary Office may apply to the Department of Motor Vehicles to receive special license plates for their private passenger motor vehicles. The fee for the issue of such special plates shall be the regular motor vehicle registration fee as set forth in Article 5 of Chapter 3 of Title 56 of the 1976 Code.

 C. License plates issued under this section may be transferred to new vehicles provided that the qualifying individual remains as an owner of the newly purchased vehicle and all other applicable requirements are met.

 D. The Department of Motor Vehicles must immediately invalidate special license plates issued under this section upon expiration of the term of office, resignation, or death of the holder. It is the responsibility of the vehicle owner to ensure their vehicle remains properly registered for operation on the highways of this State.

 E. Nothing in this section may be construed as affecting the license and registration fees to be paid on the vehicles involved, provided that those fees are equivalent to the annual registration time period if applicable, nor in any way to otherwise relieve the owners from complying with all provisions of the law relating to the licensing and registration of vehicles in South Carolina.

**Fiscal Impact Statement:**

 The SCDMV does not anticipate any additional cost to the State, its political subdivisions, or the public as a result the proposed promulgation of these regulations.

**Statement of Rationale:**

 2003 Act No. 51, §3 created the South Carolina Department of Motor Vehicles (SCDMV) and transferred all functions, powers, duties, responsibilities, and authority statutorily exercised by the Motor Vehicle Division and the Motor Carrier Services unit with the South Carolina Department of Public Safety (SCDPS) to the SCDMV. At the time of the split of the SCDMV from the SCDPS, the regulations regarding the two agencies were not divided within the South Carolina Code of Regulations. Therefore, the SCDMV proposes to promulgate regulations that are still maintained within the South Carolina Code of Regulations Chapter pertaining to SCDPS that apply to SCDMV in true function. Specifically, this promulgation pertains to regulations currently contained at S.C. Reg. 38‑100 through 38‑102. The SCDMV proposes to promulgate similar regulations in SCDMV Chapter of the South Carolina Code of Regulations.