COMMITTEE REPORT

February 18, 2009

**H. 3094**

Introduced by Reps. Littlejohn, Parker and Agnew

S. Printed 2/18/09--H. [SEC 2/23/09 11:36 AM]

Read the first time January 13, 2009.

**THE COMMITTEE ON EDUCATION AND PUBLIC WORKS**

To whom was referred a Bill (H. 3094) to amend the Code of Laws of South Carolina, 1976, by adding Section 56‑5‑4975 so as to provide that it is unlawful to operate a vehicle that is no longer, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Article 35, Chapter 5, Title 56 of the 1976 Code is amended by adding:

“Section 56‑5‑4975. (A) It is unlawful for a person to operate a vehicle that is upfitted as an ambulance or no longer permitted and licensed as an ambulance pursuant to Article 1, Chapter 61, Title 44 unless the vehicle’s exterior equipment and markings including, but not limited to, emergency lights, sirens, and decals that distinguish it as an ambulance are removed. A person who violates this subsection, except as provided in subsections (B) and (C), is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.

(B) A person who operates a vehicle in violation of subsection (A) with the intent to commit a felony, or in the commission of a felony, is guilty of a felony and, upon conviction, must be fined not more than five thousand dollars or imprisoned not more than five years, or both.

(C) A person who operates a vehicle in violation of subsection (A) with the intent to commit a terrorist act, or in the commission of a terrorist act, is guilty of a felony and, upon conviction, must be fined ten thousand dollars and imprisoned for a mandatory minimum of ten years, no part of which may be suspended nor probation granted.

(D) The provisions of this section do not apply to:

(1) eleemosynary or not‑for‑profit organizations that operate an ambulance that is no longer permitted and licensed and whose exterior markings have been removed for use in parades, fundraising activities, and other official functions;

(2) a person operating a vehicle that is going from the place of purchase to his home or his fixed place of business; or

(3) a person operating a vehicle going to a location for the purpose of removing the vehicle’s exterior equipment or markings.”

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

PHILLIP D. OWENS for Committee.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56‑5‑4975 SO AS TO PROVIDE THAT IT IS UNLAWFUL TO OPERATE A VEHICLE THAT IS NO LONGER PERMITTED AND LICENSED AS AN AMBULANCE UNLESS THE VEHICLE’S EXTERIOR EQUIPMENT AND MARKINGS THAT DISTINGUISH IT AS AN AMBULANCE ARE REMOVED UNDER CERTAIN CIRCUMSTANCES AND TO PROVIDE A PENALTY.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 35, Chapter 5, Title 56 of the 1976 Code is amended by adding:

“Section 56‑5‑4975. (A) It is unlawful for a person to operate a vehicle that is no longer permitted and licensed as an ambulance pursuant to Title 44 unless the vehicle’s exterior equipment and markings that distinguish it as an ambulance are removed. A person who violates this provision is guilty of a felony and, upon conviction, must be imprisoned not more than five years, or fined not less than five thousand dollars, or both.

(B) This section does not apply to an eleemosynary or not‑for‑profit organization that uses an ambulance that is no longer permitted and licensed, whose exterior markings have been removed, in parades, fund raising activities, and other official functions.”

SECTION 2. This act takes effect upon approval by the Governor.

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