**South Carolina General Assembly**

119th Session, 2011-2012

**H. 4052**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Frye, Brantley, Spires, Toole, Chumley, Gambrell, Corbin and Loftis

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Introduced in the House on April 7, 2011

Currently residing in the House Committee on **Judiciary**

Summary: Motor fuel user fees

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

4/7/2011 House Introduced and read first time ([House Journal‑page 37](file:///h:\hj%20archive\2011\04-07-11.docx))

4/7/2011 House Referred to Committee on **Judiciary** ([House Journal‑page 37](file:///h:\hj%20archive\2011\04-07-11.docx))

**VERSIONS OF THIS BILL**

[4/7/2011](file:///p:\pprever\2011-12\4052_20110407.docx)

**A** **BILL**

TO AMEND SECTION 12‑28‑1730, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CIVIL PENALTIES APPLICABLE WITH RESPECT TO VIOLATIONS ARISING PURSUANT TO THE USER FEE ON MOTOR FUELS, SO AS TO DELETE THE MINIMUM ONE THOUSAND DOLLAR CIVIL PENALTY AND LIMIT TO A TOTAL OF ONE THOUSAND DOLLARS THE TEN DOLLARS A GALLON CIVIL PENALTY THAT MAY BE IMPOSED ON A VEHICLE OPERATOR FOR THE UNLAWFUL USE OF DYED FUEL IN ANY ONE VEHICLE OR FOR THE STORAGE OF DYED MOTOR FUEL FOR UNLAWFUL USE IN ANY ONE STORAGE TANK.

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

SECTION 1. Section 12‑28‑1730(F) of the 1976 Code, as last amended by Act 145 of 2005, is amended to read:

“(F) The department shall impose a civil penalty in the amount of ~~one thousand dollars or~~ ten dollars for each gallon of dyed fuel involved, ~~whichever is greater,~~ on the operator of a vehicle that is used on the highways of this State, or is authorized or otherwise allowed to be used on the highways of this State, and who uses dyed fuel for the propulsion of that vehicle or who stores dyed fuel to be used for the propulsion of a vehicle on the highways of this State, regardless of whether any of such dyed fuel is used for a nontaxable purpose, unless permitted to do so under federal law. The maximum civil penalty that may be imposed pursuant to this subsection with respect to any one vehicle or any one storage tank is one thousand dollars.

For purposes of this section, the operator is the person responsible for the management and operation of the vehicle, whether as owner, lessee, or other party.”

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

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