**South Carolina General Assembly**

119th Session, 2011-2012

**H. 4220**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Huggins and Knight

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Introduced in the House on May 17, 2011

Currently residing in the House Committee on **Education and Public Works**

Summary: Roadside vegetation management

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

5/17/2011 House Introduced and read first time ([House Journal‑page 11](file:///h:\hj%20archive\2011\05-17-11.docx))

5/17/2011 House Referred to Committee on **Education and Public Works** ([House Journal‑page 11](file:///h:\hj%20archive\2011\05-17-11.docx))

5/19/2011 House Member(s) request name added as sponsor: Knight

**VERSIONS OF THIS BILL**

[5/17/2011](file:///p:\pprever\2011-12\4220_20110517.docx)

**A** **BILL**

TO AMEND SECTION 57‑23‑800, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF TRANSPORTATION’S MANAGEMENT OF VEGETATION ALONG THE STATE’S INTERSTATE HIGHWAYS, SO AS TO INCREASE THE WIDTH OF A MEDIAN THAT SHALL HAVE ITS MOWABLE AREA MOWED IN ITS ENTIRETY, TO PROVIDE THAT THESE WIDTHS MAY BE INCREASED AS OUTLINED IN AGREEMENTS ENTERED INTO BY THE DEPARTMENT TO PERFORM MOWING AND MAINTENANCE RESPONSIBILITIES EITHER BY THE DEPARTMENT OR ANOTHER GOVERNMENTAL ENTITY; AND TO REPEAL SECTIONS 57‑23‑810, 57‑23‑815, 57‑23‑820, 57‑23‑825, 57‑23‑830, 57‑23‑835, 57‑23‑840, AND 57‑23‑850 ALL RELATING TO ROADSIDE VEGETATION MANAGEMENT ALONG VARIOUS PORTIONS OF THE STATE’S INTERSTATE HIGHWAY SYSTEM.

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

SECTION 1. Section 57‑23‑800 of the 1976 Code is amended to read:

“Section 57‑23‑800. (A) The Department of Transportation shall conduct vegetation management of the medians, roadsides, and interchanges along the interstate highway system in accordance with the following requirements:

(1) a median of not more than ~~sixty~~ eighty feet in width shall have its mowable area mowed in its entirety. A median wider than ~~sixty~~ eighty feet shall only be mowed within ~~thirty~~ forty feet from the edges of the pavement.

(2) a roadside shall be mowed thirty feet from the edge of the pavement. If fill slopes or back slopes are steep, one swath of the mower or not less than five feet shall be mowed on these slopes.

(3) an interchange shall be mowed in the same manner as a roadside, provided that the distance from the pavement required to be mowed may be increased to address any safety concerns involved.

(B) The mowing widths provided in subsection (A) may be increased when necessary to provide adequate visibility for signs erected by the department, or as outlined in agreements entered into by the department to perform mowing and maintenance responsibilities either by the department or another governmental entity.

(C) The vegetation management activities conducted by the department shall not interfere in any way with the visibility of any outdoor advertising sign.

(D) If the Department of Natural Resources makes an assessment and written determination that vegetation management pursuant to this section causes an increase in safety risks because of the attraction of wildlife to a specific area along the highway, then the department may increase the distance from the pavement required to be mowed.”

SECTION 2. Sections 57‑23‑810, 57‑23‑815, 57‑23‑820, 57‑23‑825, 57‑23‑830, 57‑23‑835, 57‑23‑840, and 57‑23‑850 of the 1976 Code are repealed.

SECTION 3. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 4. This act takes effect upon approval by the Governor.

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