**South Carolina General Assembly**

120th Session, 2013-2014

**S. 616**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Leatherman

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Introduced in the Senate on April 16, 2013

Currently residing in the Senate Committee on **Finance**

Summary: Transportation Infrastructure Sales Tax Act

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

4/16/2013 Senate Introduced and read first time ([Senate Journal‑page 7](file:///h:\SJ%20Archive\2013\04-16-13.docx))

4/16/2013 Senate Referred to Committee on **Finance** ([Senate Journal‑page 7](file:///h:\SJ%20Archive\2013\04-16-13.docx))

**VERSIONS OF THIS BILL**

[4/16/2013](file:///p:\pprever\2013-14\616_20130416.docx)

**A** **BILL**

TO AMEND CHAPTER 10, TITLE 4 OF THE 1976 CODE, RELATING TO LOCAL SALES AND USE TAXES, TO ENACT THE “TRANSPORTATION INFRASTRUCTURE SALES TAX ACT”, TO PROVIDE THAT A COUNTY GOVERNING BODY MAY IMPOSE A ONE PERCENT SALES AND USE TAX BY ORDINANCE, SUBJECT TO A REFERENDUM, WITHIN THE COUNTY AREA FOR ROAD AND BRIDGE PROJECTS, FOR A LIMITED AMOUNT OF TIME, TO PROVIDE FOR THE SELECTION OF THE PROJECTS TO BE UNDERTAKEN, TO PROVIDE FOR THE REFERENDUM, TO PROVIDE FOR THE COLLECTION AND DISTRIBUTION OF THE TAX, AND TO PROVIDE FOR MEANS TESTED MATCHING BY THE DEPARTMENT OF TRANSPORTATION; TO AMEND SECTION 12‑28‑2740, RELATING TO COUNTY TRANSPORTATION COMMITTEES, TO PROVIDE THAT MEMBERS OF COUNTY AND MUNICIPAL GOVERNING BODIES MAY NOT BE APPOINTED TO SERVE ON COUNTY TRANSPORTATION COMMITTEES; TO AMEND SECTION 57‑3‑615, RELATING TO HIGHWAY TOLLS, TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION MUST CONDUCT COMPREHENSIVE CONGESTION ANALYSES ON INTERSTATE HIGHWAYS AND TO PERMIT TOLLS TO BE UTILIZED TO FUND INCREASED CAPACITY ON INTERSTATE HIGHWAYS, OR SEGMENTS OF INTERSTATE HIGHWAYS, THAT EXCEED CAPACITY LIMITS OF THAT HIGHWAY, OR SEGMENT OF INTERSTATE HIGHWAY; TO AMEND SECTION 56‑3‑620, RELATING TO REGISTRATION FEES FOR PRIVATE PASSENGER MOTOR VEHICLES, TO INCREASE REGISTRATION FEES, TO PROVIDE THAT TWELVE DOLLARS FROM EACH FEE SHALL BE REMITTED TO THE STATE HIGHWAY FUND, AND TO ESTABLISH THE PURPOSE FOR THE FEE; TO AMEND SECTION 56‑3‑640, RELATING TO VEHICLE REGISTRATION FEES FOR COMMON CARRIER PASSENGERS, TO INCREASE REGISTRATION FEES, TO PROVIDE THAT TWELVE DOLLARS FROM EACH FEE SHALL BE REMITTED TO THE STATE HIGHWAY FUND, AND TO ESTABLISH THE PURPOSE FOR THE FEE; TO AMEND ARTICLE 5, CHAPTER 3, TITLE 56, RELATING TO MOTOR VEHICLE REGISTRATION AND LICENSING, BY ADDING SECTION 56‑3‑645 TO PROVIDE THAT AFTER CERTAIN VEHICLE REGISTRATION FEES DEDICATED TO THE STATE HIGHWAY FUND HAVE FULLY MATCHED FUNDS AS PROVIDED BY LAW, THE REMAINDER OF THOSE FUNDS MAY BE USED BY THE DEPARTMENT OF TRANSPORTATION AT ITS DISCRETION SUBJECT TO FEDERAL AND STATE LAW; TO AMEND SECTION 56‑3‑660, RELATING TO REGISTRATION FEES FOR SELF‑PROPELLED PROPERTY CARRYING VEHICLES, TO INCREASE REGISTRATION FEES AND TO PROVIDE THAT ONE‑FOURTH OF THE REGISTRATION FEE MUST BE REMITTED TO THE STATE HIGHWAY FUND FOR INTERSTATE IMPROVEMENTS; AND TO AMEND CHAPTER 3, TITLE 56, RELATING TO MOTOR VEHICLE REGISTRATION AND LICENSING, BY ADDING SECTION 56‑3‑645 TO REQUIRE A BIENNIAL ROAD USER FEE FOR CERTAIN VEHICLES THAT ARE PROPELLED IN PART, OR COMPLETELY, BY FUEL OTHER THAN MOTOR FUEL, AND TO ESTABLISH THE AMOUNT OF THE FEE.

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

SECTION 1. Chapter 4, Title 10 of the 1976 Code is amended by adding:

“ARTICLE 10.

TRANSPORTATION INFRASTRUCTURE SALES TAX ACT

Section 4‑10‑1000. This article may be cited as the ‘Transportation Infrastructure Sales Tax Act’.

Section 4‑10‑1010. For the purposes of this article ‘transportation infrastructure project’ or ‘project’ shall mean construction, improvement, maintenance, and paving for rural, county, or state roads and bridges. Transportation infrastructure projects may be located within or without, or both within and without, the boundaries of the local governmental entities, including the county, municipalities, and special purpose districts located in the county area.

Section 4‑10‑1020. Subject to the requirements of this article, the county governing body may impose a one percent sales and use tax by ordinance, subject to a referendum, within the county area for a specific purpose or purposes and for a limited amount of time.

Section 4‑10‑1030. The county transportation committee shall consider proposals for funding transportation infrastructure projects within the county area on rural, county, or state roads and bridges with proceeds of a tax imposed pursuant to this article. The committee shall formulate the referendum question that is to appear on the ballot pursuant to this article. The committee must take into consideration the Department of Transportation’s priority list of projects when formulating the referendum question.

Section 4‑10‑1040. (A) The sales and use tax authorized by this article is imposed by an enacting ordinance of the county governing body containing the ballot question formulated by the county transportation committee pursuant to Section 4‑10‑1030 subject to referendum approval in the county. The ordinance must specify the type of work to be undertaken and identify the transportation infrastructure projects that will be undertaken;

(1) the maximum time, in two‑year increments not to exceed eight years from the date of imposition, or in the case of a reimposed tax, a period ending on April thirtieth of an odd‑numbered year, not to exceed seven years, for which the tax may be imposed; and

(2) any other condition precedent, as determined by the county transportation committee to the imposition of the sales and use tax authorized by this article or condition or restriction on the use of sales and use tax revenue collected pursuant to this article.

(B) When the tax authorized by this article is imposed for more than one project, the enacting ordinance must set forth the priority in which the net proceeds are to be expended for the purposes stated. The enacting ordinance may set forth a formula or system by which multiple projects are funded simultaneously.

(C) Upon receipt of the ordinance, the county election commission must conduct a referendum on the question of imposing the sales and use tax in the area of the county that is to be subject to the tax. The referendum for imposition or reimposition of the tax must be held at the time of the general election. Two weeks before the referendum the election commission must publish in a newspaper of general circulation the question that is to appear on the ballot, with the list of projects and the cost of the projects. This notice is in lieu of any other notice otherwise required by law.

(D) The referendum question to be on the ballot must read substantially as follows:

‘Must a special one percent sales and use tax be imposed in (county) for not more than (time) to raise the amounts specified for the following purposes?

(1) for (transportation infrastructure project);

(2) for (transportation infrastructure project);

(3) etc.

Yes [ ]

No [ ].’

(E) All qualified electors desiring to vote in favor of imposing the tax for the stated purposes shall vote ‘yes’ and all qualified electors opposed to levying the tax shall vote ‘no’. If a majority of the votes cast are in favor of imposing the tax, then the tax is imposed as provided in this article and the enacting ordinance. A subsequent referendum on this question must be held on the date prescribed in subsection (C). The election commission shall conduct the referendum under the election laws of this State, mutatis mutandis, and shall certify the result no later than November thirtieth to the county governing body and to the Department of Revenue. Expenses of the referendum must be paid by the governmental entities that would receive the proceeds of the tax in the same proportion that those entities would receive the net proceeds of the tax.

(F) Upon receipt of the returns of the referendum, the county governing body must, by resolution, declare the results. In that event, the results of the referendum, as declared by resolution of the county governing body, are not open to question except by a suit or proceeding instituted within thirty days from the date the resolution is adopted.

Section 4‑10‑1050. (A) If the sales and use tax is approved in the referendum, the tax is imposed on the first of May following the date of the referendum. If the reimposition of an existing sales and use tax imposed pursuant to this article is approved in the referendum, the new tax is imposed immediately following the termination of the earlier imposed tax and the reimposed tax terminates on the thirtieth of April in an odd‑numbered year, not to exceed seven years from the date of reimposition. If the certification is not timely made to the Department of Revenue, the imposition is postponed for twelve months.

(B) The tax terminates the final day of the maximum time period specified for the imposition.

(C)(1) Amounts collected in excess of the required net proceeds must first be applied, if necessary, to complete a project for which the tax was imposed.

(2) If funds still remain after first using the funds as described in item (1) and the tax is reimposed, the remaining funds must be used to fund the projects approved by the voters in the referendum to reimpose the tax, in priority order as the projects appeared on the enacting ordinance.

(3) If funds still remain after first using the funds as described in item (1) and the tax is not reimposed, the remaining funds must be used for the purposes set forth in Section 4‑10‑1030. These remaining funds only may be expended for the purposes set forth in Section 4‑10‑1030 following an ordinance specifying the authorized purpose or purposes for which the funds will be used.

Section 4‑10‑1060. (A) The tax levied pursuant to this article must be administered and collected by the Department of Revenue in the same manner that other sales and use taxes are collected. The department may prescribe amounts that may be added to the sales price because of the tax.

(B) The tax authorized by this article is in addition to all other local sales and use taxes and applies to the gross proceeds of sales in the applicable area that is subject to the tax imposed by Chapter 36, Title 12 and the enforcement provisions of Chapter 54, Title 12. The gross proceeds of the sale of items subject to a maximum tax in Chapter 36, Title 12 are exempt from the tax imposed by this article. Unprepared food items eligible for purchase with United States Department of Agriculture food coupons are exempt from the tax imposed pursuant to this article. The tax imposed by this article also applies to tangible personal property subject to the use tax in Article 13, Chapter 36, Title 12.

(C) A taxpayer required to remit taxes under Article 13, Chapter 36 of Title 12 must identify the county in which the personal property purchased at retail is stored, used, or consumed in this State.

(D) A utility is required to report sales in the county in which the consumption of the tangible personal property occurs.

(E) A taxpayer subject to the tax imposed by Section 12‑36‑920, who owns or manages rental units in more than one county, must report separately in his sales tax return the total gross proceeds from business done in each county.

(F) The gross proceeds of sales of tangible personal property delivered after the imposition date of the tax levied under this article in a county, either under the terms of a construction contract executed before the imposition date, or a written bid submitted before the imposition date, culminating in a construction contract entered into before or after the imposition date, are exempt from the sales and use tax provided in this article if a verified copy of the contract is filed with the Department of Revenue within six months after the imposition date of the sales and use tax provided for in this article.

(G) Notwithstanding the imposition date of the sales and use tax authorized pursuant to this chapter, with respect to services that are billed regularly on a monthly basis, the sales and use tax authorized pursuant to this article is imposed beginning on the first day of the billing period beginning on or after the imposition date.

Section 4‑10‑1070. The revenues of the tax collected under this article must be remitted to the Department of Revenue and placed on deposit with the State Treasurer and credited to a fund separate and distinct from the general fund of the State. After deducting the amount of any refunds made and costs to the Department of Revenue of administering the tax, not to exceed one percent of the revenues, the State Treasurer shall distribute the revenues quarterly to the county treasurer in the county area in which the tax is imposed and the revenues must be used only for the purposes stated in the imposition ordinance. The State Treasurer may correct misallocations by adjusting subsequent distributions, but these adjustments must be made in the same fiscal year as the misallocations. However, allocations made as a result of city or county code errors must be corrected prospectively.

Section 4‑10‑1080. The Department of Revenue shall furnish data to the State Treasurer and to the county treasurers receiving revenues for the purpose of calculating distributions and estimating revenues. The information that must be supplied to counties and municipalities upon request includes, but is not limited to, gross receipts, net taxable sales, and tax liability by taxpayers. Information about a specific taxpayer is considered confidential and is governed by the provisions of Section 12‑54‑240. A person violating this section is subject to the penalties provided in Section 12‑54‑240.

Section 4‑10‑1090. Annually, and only in the month of June, funds collected by the department from the transportation infrastructure project sales tax, which are not identified as to the governmental unit due the tax, must be transferred, after reasonable effort by the department to determine the appropriate governmental unit, to the State Treasurer’s Office. The State Treasurer shall distribute these funds to the county treasurer in the county area in which the tax is imposed and the revenues must be used only for the purposes stated in the imposition ordinance. The State Treasurer shall calculate this supplemental distribution on a proportional basis, based on the current fiscal year’s county area revenue collections.

Section 4‑10‑1100. (A)(1) In counties where the revenues of the tax collected under this article are not equal to or greater than two hundred percent of the ‘C’ fund distribution for that county during any year in which the tax is collected, the Department of Transportation must match, from the State Highway Fund, the revenue collected to the extent necessary to provide that the total revenue distributed to the county treasurer pursuant to this article is equal to two hundred percent of the ‘C’ fund distribution for that county during that year.

(2) The department will not be obligated to match funds for projects pursuant to this article unless the project is placed on a referendum ballot as provided in this article and the voters of the county approve the referendum.

(B) Matching funds provided by the Department of Transportation pursuant to subsection (A) are not tax revenue derived from the tax imposed pursuant to this article and therefore may be utilized to fund projects other than those identified in the imposition ordinance. The matching funds provided by the department must be applied to improvements and resurfacing projects on secondary roads determined by the County Transportation Committee after taking into consideration the Department of Transportation’s list of priorities.

Section 4‑10‑1110. The Department of Transportation shall administer all funds expended on the state highway system unless the department has given explicit authority to a county or municipal government or other agent acting on behalf of the county transportation committee to design, engineer, construct, and inspect projects using their own personnel.

Section 4‑10‑1120. The revenues of the tax collected under this article may not be used to defray debt service on bonds issued to pay for projects authorized in this article.”

SECTION 2. Section 12‑28‑2740(B) of the 1976 code is amended to read:

“(B) The funds expended must be approved by and used in furtherance of a countywide transportation plan adopted by a county transportation committee. The county transportation committee must be appointed by the county legislative delegation and must be made up of fair representation from municipalities and unincorporated areas of the county; provided, however, that members of county or municipal governing bodies may not be appointed to a county transportation committee. County transportation committees may join in approving a regional transportation plan, and the funds must be used in furtherance of the regional transportation plan. ~~This subsection does not prohibit the county legislative delegation from making project recommendations to the county transportation committee.~~ A county transportation committee may expend from the funds allocated under this section an amount not to exceed two thousand dollars for reasonable administrative expenses directly related to the activities of the committee. Administrative expenses may include costs associated with copying, mailings, public notices, correspondence, and recordkeeping but do not include the payment of per diem or salaries for members of the committee.”

SECTION 3. Section 57‑3‑615 of the 1976 Code is amended to read:

“Section 57‑3‑615. (A) The Department of Transportation must perform regular comprehensive congestion analyses on each interstate highway in the State. The department may administer a toll to finance projects to increase capacity on interstate highways, or segments of interstate highways, where the congestion analysis reveals that traffic levels on the interstate highway, or segment of an interstate highway, exceeds capacity limits on that interstate highway, or that segment of the interstate highway.

(B) If a toll is administered on a project by the Department of Transportation, the toll must be used to pay for the construction, maintenance costs, and other expenses for only that project. ~~A toll project that is in excess of one hundred fifty million dollars may only be initiated as provided in Chapter 37 of Title 4.~~

(C) Except as provided in subsection (A), ~~No~~ no toll may be imposed on passage of any vehicle on federal interstate highways in this State which were in existence as of January 1, 1997, unless the imposition is otherwise affirmatively approved by the General Assembly in separate legislation enacted solely for that purpose.”

SECTION 4. Section 56‑3‑620 of the 1976 Code is amended to read:

“Section 56‑3‑620. (A) For persons sixty‑five years of age or older or persons who are handicapped, as defined in Section 56‑3‑1950, the biennial registration fee for every private passenger motor vehicle, excluding trucks, is ~~twenty~~ thirty‑two dollars.

(B) Beginning July 1, ~~1987~~ 2013, for persons under the age of sixty‑five years the biennial registration fee for every private passenger motor vehicle, excluding trucks, is ~~twenty‑four~~ thirty‑six dollars.

(C) For persons sixty‑five years of age or older, the biennial registration fee for a property‑carrying vehicle with a gross weight of six thousand pounds or less is ~~thirty~~ forty‑two dollars.

(D) For persons who are sixty‑four years of age, the biennial registration fee for a private passenger motor vehicle, excluding trucks, is ~~twenty‑two~~ thirty‑four dollars.

(E) Applicable truck fees, established by Section 56‑3‑660, are not negated by this section.

(F) Annual license plate validation stickers which are issued for nonpermanent license plates on certified South Carolina public law enforcement vehicles must be issued without charge.

(G) From each biennial registration and license fee collected pursuant to this section, twelve dollars must be deposited in the State Highway Fund to be used to the extent necessary to provide for the funding match required pursuant to Section 4‑10‑1100.”

SECTION 5. Section 56‑3‑640 of the 1976 Code is amended to read:

“Section 56‑3‑640. (A) For every common carrier passenger vehicle the biennial registration and license fee is according to weight:

(1) not over 2000 pounds: $~~18.00~~ 30.00;

(2) 2001 to 2500 pounds: $~~24.00~~ 36.00;

(3) 2501 to 3000 pounds: $~~30.00~~ 42.00;

(4) 3001 to 3500 pounds: $~~36.00~~ 48.00;

(5) 3501 to 4000 pounds: $~~42.00~~ 54.00;

(6) 4001 to 4500 pounds: $~~48.00~~ 60.00;

(7) 4501 to 5000 pounds: $~~54.00~~ 66.00;

(8) over 5000 pounds: $~~54.00~~ 66.00 plus $6.00 for each 500 pounds’ weight or fraction over 5000 pounds.

(B) The Department of Motor Vehicles must include in this classification every motor vehicle, trailer, or semitrailer designed, used, or maintained for the transportation of persons for compensation as a regular business. This classification does not include a trackless trolley bus.

(C) The manufacturer’s rating on the weight of a vehicle must be accepted as the weight of the vehicle for the purpose of fixing the license fee under this section.

(D) From each biennial registration and license fee collected pursuant to this section, twelve dollars must be deposited in the State Highway Fund to be used to the extent necessary to provide for the funding match required pursuant to Section 4‑10‑1100.”

SECTION 6. Article 5, Chapter 3, Title 56 of the 1976 Code is amended by adding:

“Section 56‑3‑645. After matching funds have been awarded pursuant to Section 4‑10‑1100, any funds remaining from the transfer of funds pursuant to Section 56‑3‑640 and Section 56‑3‑620 may be used at the discretion of the Department of Transportation, as provided by state and federal law.”

SECTION 7. Section 56‑3‑660 of the 1976 Code is amended to read:

“Section 56‑3‑660. (A) The determination of gross vehicle weight to register and license self‑propelled property carrying vehicles is the empty weight of the vehicle or combination of vehicles and the heaviest load to be transported by the vehicle or combination of vehicles as declared by the registered owner. All determinations of weight must be made in units of one thousand pounds or major fraction of one thousand pounds. The declared gross vehicle weight applies to all self‑propelled property carrying vehicles operating in tandem with trailers or semitrailers except that the gross weight of a trailer or semitrailer is not required to be included when the operation is to be in tandem with a self‑propelled property carrying vehicle licensed for six thousand pounds or less gross weight, and the gross vehicle weight of the combination does not exceed nine thousand pounds. The Department of Motor Vehicles may register and license a vehicle of this classification for which the biennial registration and license fee is one‑hundred and sixty dollars or more for an annual or one‑year period beginning on April first and ending on March thirty‑first of the next year upon application to the department by the owner and the payment of one‑half the specified biennial fee or for a semiannual or one‑half year beginning on April first and ending on September thirtieth of the same year upon application to the department by the owner and the payment of the appropriate fees. The registration and license fee for vehicles in this classification which are registered for the remaining twenty‑four months or less of the twenty‑four month biennial period or for the eleven months or less of the twelve‑month year ending on March thirty‑first or the remaining five months or less for the one‑half period ending on September thirtieth is the proportionate part of the specified biennial fee for the remainder of the twenty‑four month period or year or one‑half year based on one twenty‑fourth of the specified twenty‑four month fee for each month or part of a month remaining in the biennial registration period or license year or one‑half year. No proportionate fee may be reduced lower than ten dollars. A person making application for a registration and license for a motor vehicle of this classification shall declare the true unloaded or empty weight of the vehicle.

(B) The biennial fees for the gross vehicle weight are :

(1) not over 4,000 pounds: $ ~~30.00~~ 40.00;

(2) 4,001 to 5,000 pounds: $ ~~40.00~~ 53.00;

(3) 5,001 to 6,000 pounds: $ ~~60.00~~ 80.00;

(4) 6,001 to 7,000 pounds: $ ~~70.00~~ 93.00;

(5) 7,001 to 8,000 pounds: $ ~~80.00~~ 106.00;

(6) 8,001 to 9,000 pounds: $ ~~90.00~~ 120.00;

(7) 9,001 to 10,000 pounds: $ ~~100.00~~ 133.00;

(8) 10,001 to 11,000 pounds: $ ~~110.00~~ 146.00;

(9) 11,001 to 12,000 pounds: $ ~~120.00~~ 160.00;

(10) 12,001 to 13,000 pounds: $ ~~130.00~~ 173.00;

(11) 13,001 to 14,000 pounds: $ ~~140.00~~ 186.00;

(12) 14,001 to 15,000 pounds: $ ~~150.00~~ 200.00;

(13) 15,001 to 16,000 pounds: $ ~~184.00~~ 245.00;

(14) 16,001 to 17,000 pounds: $ ~~195.50~~ 261.00;

(15) 17,001 to 18,000 pounds: $ ~~207.00~~ 275.00;

(16) 18,001 to 19,000 pounds: $ ~~218.50~~ 291.00;

(17) 19,001 to 20,000 pounds: $ ~~260.00~~ 346.00;

(18) 20,001 to 21,000 pounds: $ ~~273.00~~ 363.00;

(19) 21,001 to 22,000 pounds: $ ~~308.00~~ 410.00;

(20) 22,001 to 23,000 pounds: $ ~~322.00~~ 428.00;

(21) 23,001 to 24,000 pounds: $ ~~360.00~~ 479.00;

(22) 24,001 to 25,000 pounds: $ ~~375.00~~ 499.00;

(23) 25,001 to 26,000 pounds: $ ~~392.00~~ 521.00;

(24) 26,001 to 27,000 pounds: $ ~~408.00~~ 543.00;

(25) 27,001 to 28,000 pounds: $ ~~424.00~~ 564.00;

(26) 28,001 to 29,000 pounds: $ ~~438.00~~ 583.00;

(27) 29,001 to 30,000 pounds: $ ~~452.00~~ 601.00;

(28) 30,001 to 31,000 pounds: $ ~~468.00~~ 622.00;

(29) 31,001 to 32,000 pounds: $ ~~482.00~~ 641.00;

(30) 32,001 to 33,000 pounds: $ ~~498.00~~ 662.00;

(31) 33,001 to 34,000 pounds: $ ~~514.00~~ 684.00;

(32) 34,001 to 35,000 pounds: $ ~~528.00~~ 702.00;

(33) 35,001 to 36,000 pounds: $ ~~544.00~~ 724.00;

(34) 36,001 to 37,000 pounds: $ ~~558.00~~ 742.00;

(35) 37,001 to 38,000 pounds: $ ~~572.00~~ 761.00;

(36) 38,001 to 39,000 pounds: $ ~~588.00~~ 782.00;

(37) 39,001 to 40,000 pounds: $ ~~604.00~~ 803.00;

(38) 40,001 to 41,000 pounds: $ ~~616.00~~ 819.00;

(39) 41,001 to 42,000 pounds: $ ~~634.00~~ 843.00;

(40) 42,001 to 43,000 pounds: $ ~~650.00~~ 865.00;

(41) 43,001 to 44,000 pounds: $ ~~664.00~~ 883.00;

(42) 44,001 to 45,000 pounds: $ ~~680.00~~ 904.00;

(43) 45,001 to 46,000 pounds; $ ~~694.00~~ 923.00;

(44) 46,001 to 47,000 pounds: $ ~~708.00~~ 942.00;

(45) 47,001 to 48,000 pounds: $ ~~724.00~~ 963.00;

(46) 48,001 to 49,000 pounds: $ ~~740.00~~ 984.00;

(47) 49,001 to 50,000 pounds: $ ~~754.00~~ 1,003.00;

(48) 50,001 to 51,000 pounds: $ ~~770.00~~ 1,024.00;

(49) 51,001 to 52,000 pounds: $ ~~784.00~~ 1,043.00;

(50) 52,001 to 53,000 pounds: $ ~~800.00~~ 1,064.00;

(51) 53,001 to 54,000 pounds: $ ~~814.00~~ 1,083.00;

(52) 54,001 to 55,000 pounds: $ ~~830.00~~ 1,104.00;

(53) 55,001 to 56,000 pounds: $ ~~844.00~~ 1,123.00;

(54) 56,001 to 57,000 pounds: $ ~~860.00~~ 1,144.00;

(55) 57,001 to 58,000 pounds: $ ~~876.00~~ 1,165.00;

(56) 58,001 to 59,000 pounds: $ ~~890.00~~ 1,184.00;

(57) 59,001 to 60,000 pounds: $ ~~906.00~~ 1,205.00;

(58) 60,001 to 61,000 pounds: $ ~~920.00~~ 1,224.00;

(59) 61,001 to 62,000 pounds: $ ~~934.00~~ 1,242.00;

(60) 62,001 to 63,000 pounds: $ ~~950.00~~ 1,264.00;

(61) 63,001 to 64,000 pounds: $ ~~964.00~~ 1,282.00;

(62) 64,001 to 65,000 pounds: $ ~~1,132.00~~ 1,506.00;

(63) 65,001 to 66,000 pounds: $ ~~1,148.00~~ 1,527.00;

(64) 66,001 to 67,000 pounds: $ ~~1,166.00~~ 1,551.00;

(65) 67,001 to 68,000 pounds: $ ~~1,182.00~~ 1,572.00;

(66) 68,001 to 69,000 pounds: $ ~~1,200.00~~ 1,596.00;

(67) 69,001 to 70,000 pounds: $ ~~1,218.00~~ 1,620.00;

(68) 70,001 to 71,000 pounds: $ ~~1,236.00~~ 1,644.00;

(69) 71,001 to 72,000 pounds: $ ~~1,336.00~~ 1,777.00;

(70) 72,001 to 72,000 pounds: $ ~~1,354.00~~ 1,801.00;

(71) 73,001 to 74,000 pounds: $ ~~1,374.00~~ 1,827.00;

(72) 74,001 to 75,000 pounds: $ ~~1,392.00~~ 1,851.00;

(73) 75,001 to 76,000 pounds: $ ~~1,410.00~~ 1,875.00;

(74) 76,001 to 77,000 pounds: $ ~~1,516.00~~ 2,016.00;

(75) 77,001 to 78,000 pounds: $ ~~1,538.00~~ 2,046.00;

(76) 78,001 to 79,000 pounds: $ ~~1,558.00~~ 2,072.00; and

(77) 79,001 to 80,000 pounds: $ ~~1,600.00~~ 2,128.00;

No vehicle in excess of 80,000 pounds will be registered.

(C) Notwithstanding other provisions of this chapter, the department may enter into agreement with other states in a registration and license reciprocal agreement known as the international registration plan and the registration and license required in this section may be apportioned for vehicles which qualify and are licensed in accordance with the provisions of the plan.

(D) A vehicle registered in this State and found to be operating in excess of the gross vehicle weight for which it is currently registered may be impounded by the department until all registration fees, permit fees, or penalties are paid or satisfactory arrangements for payment of the fees and/or penalties to the department have been made.

(E) The department may register an apportionable vehicle for the payment of one‑half of this state’s portion of the license fee for a vehicle whose portion owed to this State exceeds eight hundred dollars. The department may require any information necessary to complete the transaction.

(F) Upon evidence of reliability in the payment of its obligations, the department may accept the check of a motor carrier company in payment of applicable fees and assessments.

(G) From each biennial fee for the gross vehicle weight collected pursuant to this section, one‑fourth of the fee must be deposited in the State Highway Fund to be used by the Department of Transportation for interstate highway transportation infrastructure projects.”

SECTION 8. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“Section 56‑3‑645. (A) In addition to the registration fees imposed by this chapter, motor vehicles that are powered:

(1) exclusively by electricity, hydrogen, or any fuel other than motor fuel, as defined in Section 12‑28‑110(39), that is not subject to motor fuel user fees imposed by Chapter 28, Title 12 shall pay a biennial road user fee of one hundred twenty dollars; and

(2) by a combination of motor fuel subject to motor fuel user fees imposed by Chapter 28, Title 12 and electricity, hydrogen, or any fuel other than motor fuel that is not subject to motor fuel user fees imposed by Chapter 28, Title 12 shall pay a biennial road user fee of sixty dollars.

(B) The fees collected pursuant to this section must be remitted to the State Highway Fund.”

SECTION 9. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 10. The General Assembly finds that the sections presented in this act constitute one subject as required by Article III, Section 17 of the South Carolina Constitution, in particular finding that each change and each topic relates directly to or in conjunction with other sections to the subject of directing additional funding for transportation infrastructure projects as clearly enumerated in the title.

The General Assembly further finds that a common purpose or relationship exists among the sections, representing a potential plurality but not disunity of topics, notwithstanding that reasonable minds might differ in identifying more than one topic contained in the act.

SECTION 11. This act takes effect upon approval by the Governor.

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