~~Indicates Matter Stricken~~

Indicates New Matter

AMENDED

May 27, 2014

**H. 5014**

Introduced by Reps. Willis, Owens and Daning

S. Printed 5/27/14--S.

Read the first time April 30, 2014.

**A** **BILL**

TO AMEND SECTION 56‑1‑2100, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A COMMERCIAL DRIVER LICENSE, SO AS TO DELETE THE VARIOUS ENDORSEMENTS AND RESTRICTIONS THAT MAY BE ATTACHED TO A COMMERCIAL DRIVER LICENSE, AND THAT ENDORSEMENTS AND RESTRICTIONS MAY BE ADDED TO A COMMERCIAL DRIVER LICENSE AS REQUIRED UNDER THE FEDERAL MOTOR CARRIER SAFETY REGULATIONS.

Amend Title To Conform

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

SECTION 1. Section 56‑1‑2100(B) of the 1976 Code, as last amended by Act 216 of 2010, is further amended to read:

“(B) The holder of a valid commercial driver license may drive all vehicles in the class for which that license is issued and all lesser classes of vehicles except motorcycles. Vehicles which require an endorsement may not be driven unless the proper endorsement appears on the license. Commercial driver licenses may be issued with the following classifications, endorsements, and restrictions:

(1) Classifications:

(a) Class A: A combination of vehicles with a gross combination weight rating of twenty‑six thousand one pounds or more provided the gross vehicle weight rating of the vehicle being towed is in excess of ten thousand pounds.

(b) Class B: A single vehicle with a gross vehicle weight rating of twenty‑six thousand one pounds or more, or any such vehicle towing a vehicle not in excess of ten thousand pounds gross vehicle weight rating.

(c) Class C: A single vehicle, or combination of vehicles, that are not Class A or B vehicles but either designed to transport sixteen or more passengers including the driver, or are required to be placarded for hazardous materials under 49 C.F.R. Part 172, subpart F.

(2) Endorsements are added to commercial driver licenses as required under Part 383.153 of the Federal Motor Carrier Safety Regulations.

~~(a)~~ ~~"H" authorizes the person to drive a vehicle transporting hazardous materials;~~

~~(b)~~ ~~"T" authorizes double trailers;~~

~~(c)~~ ~~"P" authorizes driving vehicles carrying passengers;~~

~~(d)~~ ~~"N" authorizes driving tank vehicles;~~

~~(e)~~ ~~"X" represents a combination of hazardous materials or tank vehicle endorsements, or both;~~

~~(f)~~ ~~"S" authorizes the person to drive school buses.~~

(3) Restrictions~~:~~ are added to commercial driver licenses as required under Part 383.153 of the Federal Motor Carrier Safety Regulations.

~~(a)~~ ~~"K" restricts the person to vehicles not equipped with airbrakes;~~

~~(b)~~ ~~"Z" except tractor trailer;~~

~~(c)~~ ~~"Z‑1" may not operate commercial motor vehicles with a gross vehicle weight rating or a gross combination weight rating exceeding 26,000 pounds.~~”

SECTION 2. Section 56‑5‑2770(D) of the 1976 Code is amended to read:

“(D)(1) A school bus must be equipped with red and amber visual signals meeting the requirements of State Department of Education Regulations and Specifications Pertaining to School Buses, which must be actuated by the driver whenever the bus is stopped or preparing to stop on the highway for the purpose of receiving or discharging school children. A driver must not actuate the special visual signals when the bus is in designated school bus loading or off‑loading areas if the bus is off the roadway entirely.

(2) A school bus may be equipped with a digital video recording device mounted on the school bus with a clear view of vehicles passing the bus on either side and showing the date and time the recording was made and an electronic symbol showing the activation of amber lights, flashing red lights, stop arms, and brakes. Digital video recording devices mounted on school buses must be procured in compliance with Chapter 11, Title 35 or a procurement code adopted by the political subdivision procuring the digital video recording device in compliance with Section 11‑35‑50.

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

“Section 56‑5‑2773. (A) A uniform traffic citation alleging the violation of Section 56‑5‑2770 may be issued based in whole or in part upon images obtained from a digital video recording device mounted on a school bus. A copy of the citation must be given directly to the alleged offender by the law enforcement officer issuing the citation.

(B) Digital images obtained from a digital video recording device mounted on a school bus pursuant to Section 56‑5‑2770(D) may be used as evidence at any hearing related to a violation of Section 56‑5‑2770 to corroborate testimony by the school bus driver or any other person who witnessed the offense.”

SECTION 4. Section 56‑7‑35(C) of the 1976 Code is amended to read:

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

(1) toll collection; or

(2) issuance of a uniform traffic citation alleging the violation of Section 56‑5‑2770.”

SECTION 5. Section 56‑7‑15 of the 1976 Code is amended by adding:

“(C) The issuance of a uniform traffic ticket alleging the violation of Section 56‑5‑2770 is not subject to the provisions of this section.”

SECTION 6. This act takes effect upon approval by the Governor.

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