**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56‑5‑2774 SO AS TO PROVIDE THAT THE REGISTERED OWNER OF A VEHICLE THAT UNLAWFULLY OVERTAKES A SCHOOL BUS MAY BE ISSUED A CIVIL CITATION IF THE DRIVER OF HIS VEHICLE CAN NOT BE IDENTIFIED BY A LAW ENFORCEMENT OFFICER OR A DIGITAL VIDEO RECORDING DEVICE MOUNTED ON A SCHOOL BUS, TO PROVIDE THE PROCEDURE WHEREBY THE CITATION MAY BE DISMISSED, AND TO PROVIDE THE PROCEDURE WHEREBY THE CITATION IS ISSUED.

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

SECTION 1. Article 21, Chapter 5, Title 56 of the 1976 Code is amended by adding:

“Section 56‑5‑2774. (A) If a driver of a vehicle violates Section 56‑5‑2770(A) or (C) and can not be identified by a law enforcement officer from images obtained from a digital video recording device mounted on a school bus, then the registered owner of the vehicle may be issued a five hundred dollar civil penalty citation. The citation must be dismissed if the registered owner of the vehicle furnishes evidence to the court that at the time of the violation the vehicle was in the care, custody, or control of another person.

(B) The registered owner of the vehicle shall not be responsible for the violation if, within thirty days after being notified of the violation, he provides the court the following information:

(1) an affidavit that contains the name and address of the person or company that had care, custody, and control of the vehicle at the time of the violation; or

(2) an affidavit that states that the vehicle was stolen at the time of the violation. This affidavit must be supported by evidence that the vehicle was insured at the time of the violation and must be accompanied with a police report that confirms that the vehicle was stolen.

(C) No points contained in Section 56‑1‑720 shall be imposed against the driving record of the registered owner of the vehicle.

(D) A citation issued pursuant to this section shall state clearly the manner in which the citation may be challenged. The citation must be sent by first class mail to the registered owner of the vehicle at the address provided by the Department of Motor Vehicles.”

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

‑‑‑‑XX‑‑‑‑