~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

March 2, 2017

**S. 198**

Introduced by Senators Shealy, Alexander, McElveen and Bryant

S. Printed 3/2/17--H.

Read the first time February 2, 2017.

**THE COMMITTEE ON EDUCATION AND PUBLIC WORKS**

To whom was referred a Bill (S. 198) to amend Section 56‑1‑100 of the 1976 Code, relating to drivers’ licenses, to provide that a minor may apply for a beginner’s permit, instruction permit, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, Section 56‑1‑100(A)(5), as contained in SECTION 1, by deleting lines 39 and 40 on page 1 and inserting:

\ (5) an individual who has custody, care, and control of the minor; \

Amend the bill further, Section 56‑1‑100(A)(7),as contained in SECTION 1, by deleting lines 1 and 2 on page 2, and inserting:

\ (7) any person who has been standing in loco parentis of the minor for a continuous period of not less than sixty days; or \

Amend the bill further, Section 56‑1‑100(C)(3), as contained in SECTION 1, by deleting lines 16 through 28 on page 2, and inserting:

\ (3) the foster parent, pre‑adoptive parent, or person responsible for the welfare of the child who resides in a child caring facility or residential group care home, upon written approval by the Department of Social Services. The disclosure of information by the Department of Social Services to the Department of Motor Vehicles in order to provide approval for the limited purpose of this code section shall not be a violation of Section 63‑7‑1990 or any other section of the Children’s Code governing the dissemination of confidential information. The foster parent, pre‑adoptive parent, or person responsible for the welfare of the child who resides in a child caring facility or residential group care home must obtain approval from the Department of Social Services prior to the request for an extension of a permit pursuant to Section 56‑1‑50. \

Renumber sections to conform.

Amend title to conform.

MERITA A. ALLISON for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

**Explanation of Fiscal Impact**

**Amended by Senate Transportation on January 25, 2017**

**State Expenditure**

This bill as amended makes changes as to who may sign the application for a beginner’s permit or driver’s license of an unemancipated minor. In addition to the mother, father, and guardian, individuals responsible for the minor, including individuals appointed by the Department of Social Services (DSS), may sign the application. DSS must provide written approval prior to certain individuals signing the application of a minor when DSS has guardianship or legal custody of the minor. The disclosure of information by DSS to the Department of Motor Vehicles in order to provide approval shall not be in violation of dissemination of confidential information.

**Department of Motor Vehicles.** The department indicates that any expenses incurred as a result of this bill would be for programming and the modification of forms and could be absorbed within current appropriations.

**Department of Social Services.** The department indicates that these activities are conducted in the normal course of agency business. Therefore, this bill will have no expenditure impact on the general fund, federal funds, or other funds.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

**A** **BILL**

TO AMEND SECTION 56‑1‑100 OF THE 1976 CODE, RELATING TO DRIVERS’ LICENSES, TO PROVIDE THAT A MINOR MAY APPLY FOR A BEGINNER’S PERMIT, INSTRUCTION PERMIT, OR DRIVERS’ LICENSE UNDER THE AUTHORIZATION OF A RESPONSIBLE ADULT WILLING TO ASSUME THE OBLIGATION IMPOSED.

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

SECTION 1. Section 56‑1‑100 of the 1976 Code is amended to read:

“Section 56‑1‑100. (A) The application of an unemancipated minor for a beginner’s permit~~, instruction permit,~~ or driver’s license must be signed ~~and verified before a person authorized to administer oaths by the father, mother, or guardian, or, for all other minors, by a responsible adult who is willing to assume the obligation imposed under this article upon a person signing the application of a minor. Upon the extension of a permit pursuant to Section 56‑1‑50, authorization by the father, mother, guardian, or a responsible adult is not required.~~ in the presence of a South Carolina Department of Motor Vehicles employee at the time of application by:

(1) the father of the minor;

(2) the mother of the minor;

(3) the stepparent of the minor;

(4) the guardian of the minor;

(5) an individual who has custody, care, and control of a minor;

(6) any person set forth in Subsection (C)(3), below, with written approval by the Department of Social Services;

(7) any person who has been standing in loco parentis of a minor for a continuous period of not less than sixty days; or

(8) any responsible adult who is willing to assume the obligation imposed under this article and who has written permission, from a person listed in items (1)‑(7) above, signed and verified before a person authorized to administer oaths.

(B) The application of an emancipated minor for a beginner’s permit or driver’s license must be signed in the presence of a South Carolina Department of Motor Vehicles employee at the time of application by a responsible adult who is willing to assume the obligation imposed under this article.

(C) If the Department of Social Services has guardianship or legal custody of a minor, the application may be signed by:

(1) the father of the minor;

(2) the mother of the minor; or

(3) the foster parent, pre‑adoptive parent, or person responsible for the welfare of a child who resides in a child caring facility or residential group care home, upon written approval by the Department of Social Services. The disclosure of information by the Department of Social Services to the Department of Motor Vehicles in order to provide approval for the limited purpose of this code section shall not be a violation of Section 63‑7‑1990 or any other section of the Children’s Code governing the dissemination of confidential information. The foster parent, pre-adoptive parent, or person responsible for the welfare of a child who resides in a child caring facility or residential group care home must obtain approval from the Department of Social Services prior to the request for an extension of a permit pursuant to Section 56-1-50.

(D) Except as set forth in Subsection (C)(3) above, upon the extension of a permit pursuant to Section 56‑1‑50, authorization by the person who originally signed the application, under Subsections (A), (B), or (C) above, is not required.”

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

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