AMENDED

May 9, 2017

**H. 3256**

Introduced by Reps. Jefferson and Daning

S. Printed 5/9/17--S.

Read the first time March 9, 2017.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 140 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE PALMETTO CROSS SPECIAL LICENSE PLATES.

Amend Title To Conform

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

SECTION 1. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“ARTICLE 140

‘Palmetto Cross’ Special License Plates

Section 56‑3‑14010. The department may issue no more than three permanent special motor vehicle license plates to a recipient of the Palmetto Cross Medal for use on his private passenger motor vehicles, as defined in Section 56‑3‑630, or motorcycles as defined in Section 56‑3‑20, registered in his name. There is no fee for the issuance of up to two license plates, and not more than three license plates may be issued to a person. The fee for the third plate is the regular motor vehicle registration fee contained in Article 5, Chapter 3 of this title and a special motor vehicle license fee of thirty dollars. The application for a special license plate must include proof that the applicant is a recipient of the Palmetto Cross Medal.

Section 56‑3‑14020. (A) The special license plates must be of the same size as regular motor vehicle license plates, upon which must be imprinted on the left side of the plates the distinctive Palmetto Cross Medal insignia with numbers and designs determined by the Department of Motor Vehicles.

(B) If a person who qualifies for the special license plate issued under this article also qualifies for the handicapped license plate issued pursuant to Section 56‑3‑1960(1), then the license plate issued pursuant to this section also shall include the distinguishing symbol used on license plates issued pursuant to Section 56‑3‑1960(1).

Section 56‑3‑14030. A license plate issued pursuant to this article may be transferred to another vehicle of the same weight class owned by the same person upon application being made and approved by the Department of Motor Vehicles. It is unlawful for any person to whom the special plate has been issued to knowingly permit it to be displayed on any vehicle except the one authorized by the department.

Section 56‑3‑14040. The provisions of this article do not affect the registration and licensing of motor vehicles as required by other provisions of this chapter but are cumulative to them. Any person violating the provisions of this article or any person who fraudulently gives false or fictitious information in any application for a special license plate, as authorized in this article, conceals a material fact, or otherwise commits a fraud in any application or in the use of any special license plate issued is guilty of a misdemeanor and, upon conviction, must be punished by a fine of not more than one hundred dollars or by imprisonment for not more than thirty days.”

SECTION 2. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“ARTICLE 143

‘Powering the Palmetto State’ Special License Plates

Section 56-3-14310. (A) The Department of Motor Vehicles may issue ‘Powering the Palmetto State’ special license plates to owners of private passenger carrying motor vehicles, as defined in Section 56‑3‑630, and motorcycles, as defined in Section 56‑3‑20, registered in their names. The fee for each special license plate is the regular motor vehicle license fee set forth in Article 5, Chapter 3, Title 56. The Electric Cooperatives of South Carolina, Inc. shall submit to the department for its approval the proposed design it desires to be used for this special license plate honoring the work of South Carolina’s electrical linemen.

(B) Each special license plate must be of the same size and general design as regular motor vehicle license plates. Each special license plate must be issued or revalidated for a biennial period that expires twenty‑four months from the month the special license plate is issued.

(C) The guidelines for the production, collection, and distribution of fees for a special license plate under this section must meet the requirements of Section 56‑3‑8100.”

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

“ARTICLE 141

‘Legion of Merit’ Special License Plates

Section 56-3-14110. (A) The department may issue a ‘Legion of Merit’ special motor vehicle license plate for use on a private passenger motor vehicle or motorcycle registered in this State in a person’s name who is a recipient of the Legion of Merit award. An application for this special motor vehicle license plate must include official documentation showing that the applicant is a recipient of the Legion of Merit award.

(B) The requirements for production and distribution of the plate are those set forth in Section 56‑3‑8100. The department shall imprint on the special license plates ‘Legion of Merit’ and the corresponding Legion of Merit medal.

(C) A license plate issued pursuant to this article may be transferred to another vehicle of the same weight class owned by the same person upon application being made and approved by the department. It is unlawful for a person to whom the plate has been issued to knowingly permit it to be displayed on any vehicle except the one authorized by the department.

(D) The provisions of this article do not affect the registration and licensing of motor vehicles as required by other provisions of this chapter but are cumulative to those other provisions. A person violating the provisions of this article or a person who (1) fraudulently gives false or fictitious information in any application for a special license plate, as authorized in this article, (2) conceals a material fact, or (3) otherwise commits fraud in the application or in the use of a special license plate issued is guilty of a misdemeanor and, upon conviction, must be punished by a fine of not more than one hundred dollars or by imprisonment for not more than thirty days, or both.”

SECTION 4. Section 56-3-8400 of the 1976 Code is amended to read:

“Section 56-3-8400. (A) The Department of Motor Vehicles may issue ‘Lions Club’ special ~~motor vehicle~~ license plates ~~to members of the Lions Club for private motor vehicles registered in their names~~ to owners of private passenger motor vehicles, as defined in Section 56-3-630, and motorcycles, as defined in Section 56-3-20. The fee for this special license plate ~~must be~~ is the regular motor vehicle license fee contained in Article 5, Chapter 3 of this title which must be deposited in the state general fund and the special fee required by Section 56‑3‑2020 which must be placed by the Comptroller General into the State Highway Fund as established by Section 57‑11‑20, to be distributed as provided in Section 11‑43‑167. The license plates issued pursuant to this section must conform to a design agreed to by the department and the chief executive officer of the organization.

(B) Before the Department of Motor Vehicles produces and distributes a special license plate pursuant to this section, it must receive:

(1) four hundred prepaid applications for the special license plate or a deposit of four thousand dollars from the individual or organization seeking issuance of the license plate. If a deposit of four thousand dollars is made by an individual or organization pursuant to this section, the department must refund the four thousand dollars once an equivalent amount of license plate fees is collected for that organization's license plate. If the equivalent amount is not collected within four years of the first issuance of the license plate, then the department must retain the deposit; and

(2) a plan to market the sale of the special license plate which must be approved by the department.

(C) If the department receives less than three hundred biennial applications and renewals for a particular special license plate, it shall not produce additional special license plates in that series. The department shall continue to issue special license plates of that series until the existing inventory is exhausted.”

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

“ARTICLE 142

‘Virginia Tech’ Special License Plates

Section 56‑3‑14210. (A) The Department of Motor Vehicles may issue ‘Virginia Tech’ special license plates to owners of private passenger carrying motor vehicles, as defined in Section 56‑3‑630, and motorcycles, as defined in Section 56‑3‑20, registered in their names. The fee for each special license plate is seventy dollars every two years, in addition to the regular motor vehicle license fee set forth in Article 5, Chapter 3, Title 56. Each license plate must be of the same size and general design as regular motor vehicle license plates. Each special license plate must be issued or revalidated for a biennial period that expires twenty‑four months from the month the special license plate is issued.

(B) The fees collected in excess of the cost of producing the license plates must be distributed to the South Carolina Palmetto Chapter of Virginia Tech.

(C) The guidelines for the production, collection, and distribution of fees for a special license plate under this section must meet the requirements of Section 56‑3‑8100.”

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

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