~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

March 21, 2017

**S. 444**

Introduced by Senator Grooms

S. Printed 3/21/17--S. [SEC 3/22/17 2:28 PM]

Read the first time February 21, 2017.

**THE COMMITTEE ON TRANSPORTATION**

To whom was referred a Bill (S. 444) to amend Section 56-1-10(15) and 56-1-10(18) of the 1976 Code, relating to driver’s license definitions, to change, 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, by striking all after the enacting words and inserting:

/ SECTION 1. Section 56-1-10(15) of the 1976 Code is amended to read:

“(15) ~~‘Automotive three‑wheel vehicle’~~ ‘Autocycle’ means every motor vehicle having no more than three permanent functional wheels in contact with the ground, having ~~a bench seat for the use of the operator,~~ seating that does not require the operator to straddle or sit astride it and having an automotive type steering device, but excluding a tractor or motorcycle three‑wheel vehicle.”

SECTION 2. Section 56-1-10(18) of the 1976 Code is amended to read:

“(18) ‘Motorcycle three‑wheel vehicle’ means every motor vehicle having no more than three permanent functional wheels in contact with the ground to include motorcycles with detachable side cars, having a saddle type seat for the operator, and having handlebars or a motorcycle type steering device but excluding a tractor or ~~automotive three‑wheel vehicle~~ autocycle.”

SECTION 3. Section 56-1-130(C) of the 1976 Code is amended to read:

“(C)(1) A basic driver’s license authorizes the licensee to operate motor vehicles, ~~automotive three‑wheel vehicles~~ autocycles, motorcycle three‑wheel vehicles, excluding a motorcycle with a detachable side car, or combinations of vehicles which do not exceed twenty‑six thousand pounds gross vehicle weight rating; provided, that the driver has successfully demonstrated the ability to exercise ordinary and reasonable control in the operation of a motor vehicle in this category. A basic driver’s license also authorizes the licensee to operate farm trucks provided for in Sections 56‑3‑670, 56‑3‑680, and 56‑3‑690, which are used exclusively by the owner for agricultural, horticultural, and dairying operations or livestock and poultry raising. Notwithstanding another provision of law, the holder of a conditional license, or special restricted license operating a farm truck for the purposes provided in this subsection, may operate the farm truck without an accompanying adult after six o’clock a.m. and no later than nine o’clock p.m., but may not operate a farm truck on a freeway. A person operating a farm truck while holding a conditional driver’s license or a special restricted license may not use the farm truck for ordinary domestic purposes or general transportation.

(2) A classified driver’s license shall authorize the licensee to operate a motorcycle, motorcycle three‑wheel vehicle, including a motorcycle with a detachable side car, or those vehicles in excess of twenty‑six thousand pounds gross vehicle weight rating which are indicated by endorsement on the license. The endorsement may include classifications such as: motorcycle, two‑axle truck, three‑ or more axle truck, combination of vehicles, motor busses, or oversize or overweight vehicles. The department shall determine from the driving demonstration the endorsements to be indicated on the license.”

SECTION 4. Section 56-3-20(30) of the 1976 Code is amended to read:

“(30) ~~‘Automotive three‑wheel vehicle’ means every motor vehicle having no more than three permanent functional wheels in contact with the ground, having a bench seat for the use of the operator, and having an automotive type steering device, but excluding a tractor or motorcycle three‑wheel vehicle.~~ Reserved.”

SECTION 5. Section 56-3-20(31) of the 1976 Code is amended to read:

“(31) ~~‘Motorcycle three‑wheel vehicle’ means every motor vehicle having no more than three permanent functional wheels in contact with the ground to include motorcycles with detachable side cars, having a saddle type seat for the operator, and having handlebars or a motorcycle type steering device, but excluding a tractor or automotive three‑wheel vehicle.~~ Reserved.”

SECTION 6. Section 56-19-10(44) of the 1976 Code is amended to read:

“(44) ~~‘Automotive three‑wheel vehicle’ means a motor vehicle having no more than three permanent functional wheels in contact with the ground, having a bench seat for the use of the operator, and having an automotive type steering device, but excluding a tractor and a motorcycle three‑wheel vehicle.~~ Reserved.”

SECTION 7. Section 56-19-10(45) of the 1976 Code is amended to read:

“(45) ~~‘Motorcycle three‑wheel vehicle’ means a motor vehicle having no more than three permanent functional wheels in contact with the ground to include motorcycles with detachable side cars, having a saddle type seat for the operator, and handlebars or a motorcycle type steering device, but excluding a tractor or automotive three‑wheel vehicle.~~ Reserved.”

SECTION 8. Sections 56-5-145 and 56-5-155 of the 1976 Code are repealed.

SECTION 9. This act takes effect six months after approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

LAWRENCE K. GROOMS for Committee.

**A** **BILL**

TO AMEND SECTION 56-1-10(15) AND 56-1-10(18) OF THE 1976 CODE, RELATING TO DRIVER’S LICENSE DEFINITIONS, TO CHANGE “AUTOMOTIVE THREE-WHEEL VEHICLE” TO “AUTOCYCLE” AND PROVIDE THE DEFINITION AND TO UPDATE REFERENCES TO THE DEFINITION; TO AMEND SECTION 56-1-130(C), RELATING TO LICENSE EXAMINATIONS, TO CHANGE “AUTOMOTIVE THREE-WHEEL VEHICLE” TO “AUTOCYCLE”; TO AMEND SECTION 56-3-20(30) AND 56-3-20(31), RELATING TO MOTOR VEHICLE REGISTRATION AND LICENSING DEFINITIONS, TO CHANGE “AUTOMOTIVE THREE-WHEEL VEHICLE” TO “AUTOCYCLE”; TO AMEND SECTION 56-5-145, RELATING TO THE DEFINITION OF “AUTOMOTIVE THREE-WHEEL VEHICLE”, TO CHANGE “AUTOMOTIVE THREE-WHEEL VEHICLE” TO “AUTOCYCLE”; TO AMEND SECTION 56-5-155, RELATING TO THE DEFINITION OF “MOTORCYCLE THREE-WHEEL VEHICLE”, TO UPDATE REFERENCES; AND TO AMEND SECTIONS 56-19-10(44) AND 56-19-10(45), RELATING TO DEFINITIONS REGARDING THE PROTECTION OF TITLES TO AND INTERESTS IN MOTOR VEHICLES, TO CHANGE “AUTOMOTIVE THREE-WHEEL VEHICLE” TO “AUTOCYCLE” AND UPDATE REFERENCES.

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

SECTION 1. Section 56-1-10(15) of the 1976 Code is amended to read:

“(15) ~~‘Automotive three‑wheel vehicle’~~ ‘Autocycle’ means every motor vehicle having no more than three permanent functional wheels in contact with the ground, having a bench or bucket seat for the use of the operator, and having an automotive type steering device, but excluding a tractor or motorcycle three‑wheel vehicle.”

SECTION 2. Section 56-1-10(18) of the 1976 Code is amended to read:

“(18) ‘Motorcycle three‑wheel vehicle’ means every motor vehicle having no more than three permanent functional wheels in contact with the ground to include motorcycles with detachable side cars, having a saddle type seat for the operator, and having handlebars or a motorcycle type steering device but excluding a tractor or ~~automotive three‑wheel vehicle~~ autocycle.”

SECTION 3. Section 56-1-130(C) of the 1976 Code is amended to read:

“(C)(1) A basic driver’s license authorizes the licensee to operate motor vehicles, ~~automotive three‑wheel vehicles~~ autocycles, motorcycle three‑wheel vehicles, excluding a motorcycle with a detachable side car, or combinations of vehicles which do not exceed twenty‑six thousand pounds gross vehicle weight rating; provided, that the driver has successfully demonstrated the ability to exercise ordinary and reasonable control in the operation of a motor vehicle in this category. A basic driver’s license also authorizes the licensee to operate farm trucks provided for in Sections 56‑3‑670, 56‑3‑680, and 56‑3‑690, which are used exclusively by the owner for agricultural, horticultural, and dairying operations or livestock and poultry raising. Notwithstanding another provision of law, the holder of a conditional license, or special restricted license operating a farm truck for the purposes provided in this subsection, may operate the farm truck without an accompanying adult after six o’clock a.m. and no later than nine o’clock p.m., but may not operate a farm truck on a freeway. A person operating a farm truck while holding a conditional driver’s license or a special restricted license may not use the farm truck for ordinary domestic purposes or general transportation.

(2) A classified driver’s license shall authorize the licensee to operate a motorcycle, motorcycle three‑wheel vehicle, including a motorcycle with a detachable side car, or those vehicles in excess of twenty‑six thousand pounds gross vehicle weight rating which are indicated by endorsement on the license. The endorsement may include classifications such as: motorcycle, two‑axle truck, three‑ or more axle truck, combination of vehicles, motor busses, or oversize or overweight vehicles. The department shall determine from the driving demonstration the endorsements to be indicated on the license.”

SECTION 4. Section 56-3-20(30) of the 1976 Code is amended to read:

“(30) ~~‘Automotive three‑wheel vehicle’~~ ‘Autocycle’ means every motor vehicle having no more than three permanent functional wheels in contact with the ground, having a bench or bucket seat for the use of the operator, and having an automotive type steering device, but excluding a tractor or motorcycle three‑wheel vehicle.”

SECTION 5. Section 56-3-20(31) of the 1976 Code is amended to read:

“(31) ‘Motorcycle three‑wheel vehicle’ means every motor vehicle having no more than three permanent functional wheels in contact with the ground to include motorcycles with detachable side cars, having a saddle type seat for the operator, and having handlebars or a motorcycle type steering device, but excluding a tractor or ~~automotive three‑wheel vehicle~~ autocycle.”

SECTION 6. Section 56-5-145 of the 1976 Code is amended to read:

“Section 56-5-145. ~~An automotive three‑wheel vehicle~~ ‘Autocycle’ means a motor vehicle having no more than three permanent functional wheels in contact with the ground, having a bench seat for the use of the operator, and having an automotive type steering device, but excludes a tractor and a motorcycle three‑wheel vehicle.”

SECTION 7. Section 56-5-155 of the 1976 Code is amended to read:

“Section 56-5-155. A motorcycle three‑wheel vehicle means a motor vehicle having no more than three permanent functional wheels in contact with the ground and includes motorcycles with detachable side cars, having a saddle type seat for the operator, and handle bars or a motorcycle type steering device, but excludes a tractor or ~~automotive three‑wheel vehicle~~ autocycle.”

SECTION 8. Section 56-19-10(44) of the 1976 Code is amended to read:

“(44) ~~‘Automotive three‑wheel vehicle’~~ ‘Autocycle’ means a motor vehicle having no more than three permanent functional wheels in contact with the ground, having a bench or bucket seat for the use of the operator, and having an automotive type steering device, but excluding a tractor and a motorcycle three‑wheel vehicle.”

SECTION 9. Section 56-19-10(45) of the 1976 Code is amended to read:

“(45) ‘Motorcycle three‑wheel vehicle’ means a motor vehicle having no more than three permanent functional wheels in contact with the ground to include motorcycles with detachable side cars, having a saddle type seat for the operator, and handlebars or a motorcycle type steering device, but excluding a tractor or ~~automotive three‑wheel vehicle~~ autocycle.”

SECTION 10. This act takes effect upon approval by the Governor.

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