~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

February 14, 2018

**H. 4676**

Introduced by Rep. Collins

S. Printed 2/14/18--H.

Read the first time January 24, 2018.

**THE COMMITTEE ON EDUCATION AND PUBLIC WORKS**

To whom was referred a Bill (H. 4676) to amend Sections 56‑1‑50, as amended, 56‑1‑125, 56‑1‑175, as amended, and 56‑1‑180, etc., respectfully

**REPORT:**

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

MERITA A. ALLISON for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

**Explanation of Fiscal Impact**

**Introduced on January 24, 2018**

**State Expenditure**

This bill makes changes as to who may sign the application for a license or identification card for an individual who is less than eighteen years of age as it relates to registration with the Selective Service System. In addition to the mother, father, and guardian, individuals who have custody of the minor, individuals with written approval by the Department of Social Services (DSS), individuals who have been standing in loco parentis of a minor of not less than sixty days, or a responsible adult who is willing to assume the obligation and has written permission may sign the application. By signing the application, the signatory authorizes the Department of Motor Vehicles (DMV) to register the applicant with the Selective Service System upon attaining eighteen years of age, if required by federal law. Additionally, if the signatory declines the Selective Service System registration, DMV may issue a license or identification card, but the applicant must renew the license or identification card upon attaining eighteen years of age.

**Department of Motor Vehicles.** The department indicates that any expenses incurred as a result of revisions to forms and policies can be absorbed within current appropriations. Therefore, this bill will have no expenditure impact on the general fund, other funds, or federal funds.

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

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

**A** **BILL**

TO AMEND SECTIONS 56‑1‑50, AS AMENDED, 56‑1‑125, 56‑1‑175, AS AMENDED, AND 56‑1‑180, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF A BEGINNER’S PERMIT, A CONDITIONAL DRIVER’S LICENSE, AND A SPECIAL RESTRICTED DRIVER’S LICENSE, AND THE REQUIREMENT THAT CERTAIN INDIVIDUALS MUST REGISTER WITH THE UNITED STATES SELECTIVE SERVICE, ALL SO AS TO REVISE CERTAIN TERMS.

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

SECTION 1. Section 56‑1‑50(B)(1) of the 1976 Code, as last amended by Act 89 of 2017, is further amended to read:

“(1) vehicles after six o’clock a.m. and not later than midnight. Except as provided in subsection (E), while driving, the permittee must be accompanied by a licensed driver twenty‑one years of age or older who has had at least one year of driving experience. A permittee may not drive between midnight and six o’clock a.m. unless accompanied by ~~the permittee’s licensed parent or guardian~~ any licensed individual listed in Section 56‑1‑100(A)(1‑7);”

SECTION 2. Section 56‑1‑125(E) of the 1976 Code is amended to read:

“(E) The department shall inform the individual who is less than eighteen years of age, on his application, that his submission of the application for a license or identification card serves as his consent to be registered with the Selective Service System upon attaining eighteen years of age, if required by federal law. His application also must be signed by ~~his parent or guardian~~ any individual listed in Section 56‑1‑100(A)(1‑7). By signing the application, the ~~parent or guardian~~ signatory authorizes the department to register the applicant with the Selective Service System upon attaining eighteen years of age, if required by federal law. The applicant~~, parent, or guardian~~ or any individual listed in Section 56‑1‑100(A)(1‑7) may decline the Selective Service System registration. If the applicant~~, parent, or guardian~~ or any individual listed in Section 56‑1‑100(A)(1‑7) declines the Selective Service System registration, the department may issue a license or identification card, but the applicant must renew the license or identification card upon attaining eighteen years of age.”

SECTION 3. Section 56‑1‑175(A) and (B) of the 1976 Code, as last amended by Act 89 of 2017, is further amended to read:

“(A) The Department of Motor Vehicles may issue a conditional driver’s license to a person who is at least fifteen years of age and less than sixteen years of age, who has:

(1) held a beginner’s permit for at least one hundred eighty days;

(2) passed a driver’s education course as defined in subsection (D);

(3) completed at least forty hours of driving practice, including at least ten hours of driving practice during darkness, supervised by ~~the person’s licensed parent or guardian~~ any licensed individual listed in Section 56‑1‑100(A)(1‑7);

(4) passed successfully the road tests or other requirements the department may prescribe; and

(5) satisfied the school attendance requirement contained in Section 56‑1‑176.

(B) A conditional driver’s license is valid only in the operation of vehicles during daylight hours. The holder of a conditional license must be accompanied by a licensed adult twenty‑one years of age or older after six o’clock p.m. or eight o’clock p.m. during daylight saving time. A conditional driver’s license holder may not drive between midnight and six o’clock a.m. unless accompanied by ~~the holder’s licensed parent or guardian~~ any licensed individual listed in Section 56‑1‑100(A)(1‑7). The accompanying driver must:

(1) occupy a seat beside the conditional license holder when the conditional license holder is operating a motor vehicle; or

(2) be within a safe viewing distance of the conditional license holder when the conditional license holder is operating a motorcycle or a moped.”

SECTION 4. Section 56‑1‑180(A) and (B) of the 1976 Code, as last amended by Act 89 of 2017, is further amended to read:

“(A) The Department of Motor Vehicles may issue a special restricted driver’s license to a person who is at least sixteen years of age and less than seventeen years of age, who has:

(1) held a beginner’s permit for at least one hundred eighty days;

(2) passed a driver’s education course as defined in subsection (F);

(3) completed at least forty hours of driving practice, including at least ten hours of driving practice during darkness, supervised by ~~the person’s licensed parent or guardian~~ any licensed individual listed in Section 56‑1‑100(A)(1‑7);

(4) passed successfully the road test or other requirements the department may prescribe; and

(5) satisfied the school attendance requirement contained in Section 56‑1‑176.

(B) A special restricted driver’s license is valid only in the operation vehicles during daylight hours. The holder of a special restricted driver’s license must be accompanied by a licensed adult, twenty‑one years of age or older after six o’clock p.m. or eight o’clock p.m. during daylight saving time. The holder of a special restricted driver’s license may not drive between midnight and six o’clock a.m. unless accompanied by ~~the holder’s licensed parent or guardian~~ any licensed individual listed in Section 56‑1‑100(A)(1‑7). The accompanying driver must:

(1) occupy a seat beside the conditional license holder when the conditional license holder is operating a motor vehicle; or

(2) be within a safe viewing distance of the conditional license holder when the conditional license holder is operating a motorcycle or a moped.”

SECTION 5. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 6. This act takes effect on November 19, 2018.

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