**South Carolina General Assembly**

124th Session, 2021-2022

**H. 3983**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Rutherford

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Introduced in the House on February 25, 2021

Currently residing in the House Committee on **Judiciary**

Summary: Motor vehicle offenses decriminalized

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/25/2021 House Introduced and read first time ([House Journal‑page 6](file:///h:\hj\20210225.docx))

2/25/2021 House Referred to Committee on **Judiciary** ([House Journal‑page 6](file:///h:\hj\20210225.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=3983&session=124&summary=B) at the website

**VERSIONS OF THIS BILL**

[2/25/2021](file:///p:\pprever\2021-22\3983_20210225.docx)

**A** **BILL**

TO AMEND SECTION 56‑5‑1520, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MAXIMUM SPEED LIMITS, SO AS TO REVISE THE PENALTIES FOR VIOLATIONS; TO AMEND SECTION 56‑5‑5015, RELATING TO THE OPERATION OF A MOTOR VEHICLE EQUIPPED WITH A SUNSCREEN DEVICE, SO AS TO REVISE THE PENALTIES FOR VIOLATIONS; TO AMEND SECTION 56‑5‑6190, RELATING TO THE CLASSIFICATION OF CERTAIN CRIMES AS MISDEMEANORS AND FELONIES, SO AS TO PROVIDE EVERY PERSON CONVICTED OF A VIOLATION OF ANY PROVISION FOR WHICH ANOTHER PENALTY IS NOT PROVIDED SHALL BE FINED NOT MORE THAN ONE HUNDRED DOLLARS; AND TO REPEAL SECTION 56‑5‑730 RELATING TO THE CLASSIFICATION OF CERTAIN OFFENSES AS MISDEMEANORS UNLESS OTHERWISE DECLARED.

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

SECTION 1. Section 56‑5‑1520(G) of the 1976 Code is amended to read:

“(G) A person violating the speed limits established by this section ~~is guilty of a misdemeanor and, upon conviction~~ for a first ~~offense~~ violation, must be fined ~~or imprisoned~~ as follows:

(1) in excess of the above posted limit but not in excess of ten miles an hour by a fine of not less than fifteen dollars nor more than twenty‑five dollars;

(2) in excess of ten miles an hour but less than fifteen miles an hour above the posted limit by a fine of not less than twenty‑five dollars nor more than fifty dollars;

(3) in excess of fifteen miles an hour but less than twenty‑five miles an hour above the posted limit by a fine of not less than fifty dollars nor more than seventy‑five dollars; and

(4) in excess of twenty‑five miles an hour above the posted limit by a fine of not less than seventy‑five dollars nor more than two hundred dollars ~~or imprisoned for not more than thirty days~~.”

SECTION 2. Section 56‑5‑5015(G) of the 1976 Code is amended to read:

“(G) No person may:

(1) offer for sale or for use any sunscreening product or material for motor vehicle use not in compliance with this section;

(2) install any sunscreening product or material on vehicles titled for use on public roads without permanently affixing the certificate of compliance specified in this section.

A professional window tinter who violates the provisions of subsections (E) or (G) ~~is guilty of a misdemeanor triable in magistrate’s court and, upon conviction,~~ must be fined not less than one thousand dollars ~~or imprisoned not more than thirty days, or both,~~ for each ~~offense~~ violation. A consumer who violates the provisions of subsection (E) or (G) ~~is guilty of a misdemeanor triable in magistrate’s court and, upon conviction,~~ must be fined not less than two hundred dollars ~~or imprisoned not more than thirty days~~ for each ~~offense~~ violation.”

SECTION 3. Section 56‑5‑6190 of the 1976 Code is amended to read:

“Section 56‑5‑6190. ~~It is a misdemeanor for any person to violate any of the provisions of this chapter unless such violation is by this chapter or other law of this State declared to be a felony.~~ Every person convicted of ~~a misdemeanor for~~ a violation of any of the provisions of this chapter for which another penalty is not provided shall be punished by a fine of not more than one hundred dollars ~~or by imprisonment for not more than thirty days~~.”

SECTION 4. Section 56‑5‑730 of the 1976 Code is repealed.

SECTION 5. This act takes effect upon approval by the Governor.

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