**South Carolina General Assembly**

125th Session, 2023-2024

**S. 968**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Peeler and Rankin

Document Path: SR-0543KM24.docx

Introduced in the Senate on January 17, 2024

Introduced in the House on March 20, 2024

Last Amended on February 29, 2024

Currently residing in the Senate

Summary: Drivers License Blood Type

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 1/17/2024 Senate Introduced and read first time (Senate Journal‑page 4)

 1/17/2024 Senate Referred to Committee on **Transportation** (Senate Journal‑page 4)

 1/18/2024 Scrivener's error corrected

 2/27/2024 Senate Committee report: Favorable with amendment **Transportation** (Senate Journal‑page 7)

 2/28/2024 Scrivener's error corrected

 2/29/2024 Senate Committee Amendment Adopted (Senate Journal‑page 28)

 2/29/2024 Senate Read second time (Senate Journal‑page 28)

 2/29/2024 Senate Roll call Ayes-xxx Nays-xxx (Senate Journal‑page 28)

 3/1/2024 Scrivener's error corrected

 3/19/2024 Senate Read third time and sent to House (Senate Journal‑page 10)

 3/20/2024 House Introduced and read first time (House Journal‑page 22)

 3/20/2024 House Referred to Committee on **Education and Public Works** (House Journal‑page 22)

 5/1/2024 House Committee report: Favorable **Education and Public Works**

 5/7/2024 House Requests for debate-Rep(s). Erickson, Hiott,
 Carter, Hixon, Guffey, Sessions, McCravy, MM
 Smith, BL Cox, Guest

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**VERSIONS OF THIS BILL**

[01/17/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/968_20240117.docx)

[01/18/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/968_20240118.docx)

[02/27/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/968_20240227.docx)

[02/28/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/968_20240228.docx)

[02/29/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/968_20240229.docx)

[03/01/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/968_20240301.docx)

[05/01/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/968_20240501.docx)

Indicates Matter Stricken

Indicates New Matter

Committee Report

May 01, 2024

S. 968

Introduced by Senators Peeler and Rankin

S. Printed 05/01/24--H.

Read the first time March 20, 2024

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The committee on House Education and Public Works

To whom was referred a Bill (S. 968) to amend the South Carolina Code of Laws by amending Section 56‑1‑80(a)(6) and (b), relating to applications for driver’s license or permit, so as to allow an applicant, etc., respectfully

Report:

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

SHANNON ERICKSON for Committee.

statement of estimated fiscal impact

Explanation of Fiscal Impact

State Expenditure

This amended bill allows an applicant for a driver’s license or permit to voluntarily disclose his or her blood type on a form prescribed by DMV with a certification from a physician or medical provider. Blood type must be indicated by a symbol designated by DMV on the driver’s license and contained in the driver’s record. The bill excludes notation of blood type from the maximum of three permanent medical conditions that the motor vehicle record of a driver may contain. Additionally, the bill specifies entities that may have access to a driver’s blood type and prohibits the sale or disclosure of this information pursuant to the South Carolina Freedom of Information Act. The bill further specifies that no cause of action may arise nor may liability be imposed against any person, government entity, or government entity officer, agent, or employee arising from any action taken by any person in reliance upon an inaccurate blood type indicated on a person’s driver’s license or driver’s record when the license holder, physician, or medical provider provided the inaccurate blood type on the forms. RFA anticipates that DMV can manage the provisions of the bill within existing appropriations. We will update this impact statement if the agency provides a different response.

State Expenditure

This bill allows an applicant for a driver’s license or permit to voluntarily disclose his or her blood type. Blood type must be indicated by a symbol designed by DMV on the driver’s license and contained in the driver’s record. The bill excludes notation of blood type from the maximum of three permanent medical conditions that the motor vehicle record of a driver may contain. Additionally, the bill specifies entities that may have access to a driver’s blood type and prohibits the sale or disclosure of this information pursuant to the South Carolina Freedom of Information Act. DMV anticipates that this bill will have no fiscal impact on the department because all requirements of the bill can be managed with existing staff and resources.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

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A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56‑1‑80(A)(6) AND (B), RELATING TO APPLICATIONS FOR DRIVER’S LICENSE OR PERMIT, SO AS TO ALLOW AN APPLICANT TO VOLUNTARILY DISCLOSE HIS BLOOD TYPE.

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

SECTION 1. Section 56-1-80 of the S.C. Code is amended to read:

 Section 56-1-80. (A) An application for a driver's license or permit must:

 (1) be made upon the form furnished by the department;

 (2) be accompanied by the proper fee and acceptable proof of date and place of birth;

 (3) contain the full name, date of birth, sex, race, and residence address of the applicant and briefly describe the applicant;

 (4) state whether the applicant has been licensed as an operator or chauffeur and, if so, when and by what state or country;

 (5) state whether a license or permit has been suspended or revoked or whether an application has been refused and, if so, the date of and reason for the suspension, revocation, or refusal;

 (6) allow an applicant voluntarily to disclose a permanent medical condition, provided that the disclosure is made on a form prescribed by the department and includes a certification from a physician licensed in this State, as defined in Chapter 47, Title 40 that affirms the existence of the medical condition. The medical condition must be indicated by a symbol designated by the department on the driver's license and contained in the driver's record. The motor vehicle record of a driver may not contain more than three permanent medical conditions unless subitem (A)(8) or (A)(9) applies;

 (7) allow an applicant voluntarily to disclose that he is an organ and tissue donor, which must be indicated by a symbol designated by the department on the driver's license and contained in the driver's record;

 (8) allow an applicant voluntarily to disclose that he is autistic, which must be indicated by a symbol designated by the department on the driver's license and contained in the driver's record. The applicant must provide documentation that he is autistic from a physician licensed in this State, as defined in Section 40-47-20(35); and

 (9) allow an applicant voluntarily to disclose blood type, provided that the disclosure is made on a form prescribed by the department and includes a certification from a physician or medical provider. Blood type must be indicated by a symbol designated by the department on the driver's license and contained in the driver's record. The department may use the same symbol used to indicate voluntary disclosure of a permanent medical condition; and

 (9)(10) include a statement that certain driver's license and driver's record information may be released, upon request, pursuant to subsection (B).

 (B)(1) The information contained on a driver's license and in the driver's department records pertaining to a person's permanent medical condition, as provided for in item (A)(6) or item (A)(8), or blood type, as provided for in item (A)(9), must be made available, upon request only to:

 (a) law enforcement, emergency medical services, and hospital personnel;

 (b) the medical advisory board pursuant to Section 56-1-221;

 (c) permitted entities pursuant to the Driver Privacy Protection Act, 18 U.S.C.A. 2721; and

 (d) the person to whom the records of the permanent medical condition applies.

 (2) The information contained on a driver's license and in the driver's department records pertaining to a person's organ and tissue donor status, as provided for in item (A)(7), must be made available, upon request only to:

 (a) law enforcement, emergency medical services, and hospital personnel; and

 (b) the South Carolina Donor Referral Network, as provided for in Section 44-43-910.

 (3) The information contained on a driver's license and in the driver's department records pertaining to a person's permanent medical condition, as provided for in item (A)(6) or item (A)(8), and pertaining to a person's organ and tissue donor status, as provided for in item (A)(7), or blood type, as provided for in item (A)(9), may not be sold and is exempt from disclosure pursuant to Chapter 4, Title 30, the South Carolina Freedom of Information Act.

 (4) No cause of action may arise nor may liability be imposed against any person, government entity, or government entity officer, agent, or employee arising from any action taken by any person in reliance upon an inaccurate blood type indicated on a person’s driver’s license or driver’s record when the license holder, physician, or medical provider provided the inaccurate blood type on the forms required pursuant to this section.

 (C)(1) Whenever an application is received from a person previously licensed or permitted in another state, the Department of Motor Vehicles may request a copy of the applicant's record from the other state. When received, the record becomes a part of the driver's record in this State with the same effect as though entered on the operator's record in this State in the original instance. Every person who obtains a driver's license or permit for the first time in South Carolina and every person who renews his driver's license or permit in South Carolina must be furnished a written request form for completion and verification of liability insurance coverage.

 (2) The completed and verified form or an affidavit prepared by the department showing that neither he, nor a resident relative, owns a motor vehicle subject to the provisions of this chapter, must be delivered to the department at the time the license or permit is issued or renewed.

SECTION 2. This act takes effect six months after approval by the Governor.

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