

**SENATE FINANCE COMMITTEE
TRANSPORTATION AND REGULATORY SUBCOMMITTEE
PROVISO CHANGES FOR CONSIDERATION FOR FY 2025-26**

SECTION 71 - L460 - COMMISSION FOR MINORITY AFFAIRS

- 71.7** **ADD** (CMA: Carry Forward of Small and Minority Business Contracting and Certification Budget) **WMC:** ADD new proviso to allow the commission to carry forward unexpended funds and expend the funds on the transfer of the Division of Small and Minority Business Contracting. Requested by the Commission for Minority Affairs.
HOU: ADOPT new proviso.
SFC SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

71.7. (CMA: Carry Forward of Small and Minority Business Contracting and Certification Budget) The Commission for Minority Affairs may carry forward any unexpended general fund balance or other funds from the prior fiscal year and expend those funds in the current fiscal year for expenditures related to the transfer of the Division of Small and Minority Business Contracting and Certification to it from the Department of Administration.

SECTION 72 - R040 - PUBLIC SERVICE COMMISSION

- 72.4** **ADD** (PSC: Avoided Cost Experts) **WMC:** ADD new proviso to authorize the commission to repurpose funds authorized in the General Appropriations Act of 2023 for expenses incurred for third-party consultants and experts. Requested by the Public Service Commission.
HOU: ADOPT new proviso.
SFC SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

72.4. (PSC: Avoided Cost Experts) The Public Service Commission is authorized to use and expend funds appropriated in Act 84 of 2023, Proviso 118.19(52) for the South Carolina Integration Study, for expenses incurred for third-party avoided cost consultants and experts employed through contract or otherwise and retained pursuant to Section 58-41-20(I). The appropriation is redirected for the Public Service Commission to utilize these funds to pay for the third-party avoided cost consultants and experts employed through contract or otherwise.

SECTION 82 - R400 - DEPARTMENT OF MOTOR VEHICLES

- 82.2** **CONFORM TO FUNDING/AMEND** (DMV: Cost Recovery Fee/Sale of Photos or Digitized Images) Authorizes DMV to collect and retain fees, not to exceed rates charged as of February 1, 2001, to recover the costs of producing, purchasing, handling and mailing information and/or documents . Allows the department to collect and retain fees to defray costs associated with fulfilling FOIA requests. Prohibits the sale of photographs taken for driver's licenses or personal identification cards. Directs that revenue generated by fees, with an exception to FOIA requests, be placed into the State Highway Fund.
WMC: AMEND proviso to eliminate the restriction that limits fees charged for the products at the department to be tied to the rate charged as of February 1, 2001, and to allow the department to retain the balance of the revenue collected from any increase to fees above the rate charged on February 1, 2001. Requested by the Department of Motor Vehicles.
HOU: ADOPT proviso as amended.
SFC SUBCOMMITTEE RECOMMENDATION: CONFORM TO FUNDING/AMEND further to limit the fee increase for FY 2025-26 to \$4.00 and require the department to remit fee-generated revenue to the General Fund.

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82.2. (DMV: Cost Recovery Fee/Sale of Photos or Digitized Images) The Department of Motor Vehicles may collect processing fees and fees to recover the costs of the production, purchase, handling and mailing of documents, publications, records and data sets. The department may collect and retain fees to defray the cost associated with fulfilling a Freedom of Information Act (FOIA) request. ~~The amount charged by the Department of Motor Vehicles for any fees collected pursuant to this proviso may not exceed the rates that the department charged as of February 1, 2001. For Fiscal Year 2025-26, the fee may not be increased more than four dollars.~~ The Department of Motor Vehicles may not sell, provide or otherwise furnish to private parties, copies of photographs, whether digitized or not, taken for the purpose of a driver's license or personal identification card. Photographs and digitized images from a driver's license or personal identification card are not considered public records. With the exception of the cost associated with fulfilling a FOIA request, revenue generated by ~~the fees imposed by this provision~~ each fee collected up to the fee amounts charged pursuant to this provision on February 1, 2001, must be placed into the State Highway Fund as established by Section 57-11-20 of the 1976 Code and be distributed as provided in Section 11-43-167. The balance of the revenue from each fee collected must be retained by the Department of Motor Vehicles remitted to the General Fund.

82.et **CONFORM TO FUNDING/ADD** (DMV: Electronic Titling) **SFC SUBCOMMITTEE RECOMMENDATION:** CONFORM TO FUNDING/ADD new proviso to require the DMV to utilize up to \$1,000,000 of funds appropriated to contract with a third party vendor to create and implement an electronic titling program for vehicle dealers, lenders, auctioneers, and owners and requires that the electronic titling services for dealers, lenders, and auctioneers be operational by June 30, 2026.

82.et. (DMV: Electronic Titling) Of the funds appropriated to the Department of Motor Vehicles for IT System Modernization, up to \$1,000,000 shall be utilized for the creation of an Electronic Titling Program to provide electronic vehicle title processing services to include the transfer of vehicle ownership and the placement and release of liens for automotive dealers, lenders, and auctioneers, and comparable electronic titling services for vehicle owners and other customers. The department shall select and contract with a third-party vendor to create and implement the program. Electronic titling services for automotive dealers, lenders, and auctioneers must operational no later than June 30, 2026.

SECTION 83 - R600 - DEPARTMENT OF EMPLOYMENT AND WORKFORCE

83.5 **AMEND** (DEW: REED Act Spending Authority) Authorizes DEW to spend up to \$2,375,072 of funds made available to the State under Section 903 of the U.S. Social Security Act. Directs the funds be used to for UI, WIOA, and Employment Services Programs. Prohibits the funds from being obligated after a 2-year period beginning July 1, 2024.

WMC: AMEND proviso to update calendar year reference. Requested by the Department of Employment and Workforce.

HOU: ADOPT proviso as amended.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

83.5. (DEW: REED Act Spending Authority) The Department of Employment and Workforce is authorized to expend up to \$2,375,072 of funds made available to the State under Section 903 of the United States Social Security Act, as amended. The funds must be used under the direction of the Department of Employment and Workforce, for the purpose of funding Unemployment Insurance, Workforce Innovation and Opportunity Act, and Employment

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Services Programs. No part of the funds herein authorized may be obligated after a two-year period beginning on July 1, ~~2024~~ 2025. The amount obligated pursuant to this provision shall not at any time exceed the amount by which (a) the aggregate of amounts transferred to the accounts of the State pursuant to Section 903 of the Social Security Act exceeds (b) the aggregate of the amounts obligated for administration and paid out for administration and paid out for benefits and as required by law to be charged against the amounts transferred to the account of this State.

SECTION 84 - U120 - DEPARTMENT OF TRANSPORTATION

84.11 DELETE (DOT: Preventative Maintenance Credit) Authorizes DOT to transfer a portion of the motor fuel user fee held in the Infrastructure Maintenance Trust Fund to DOR to satisfy the preventative maintenance credits.

WMC: DELETE proviso. Requested by the Department of Transportation.

HOU: ADOPT deletion.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT deletion.

~~**84.11.** (DOT: Preventative Maintenance Credit) The Department of Transportation is authorized to transfer a portion of proceeds of the motor fuel user fee received from Section 12-28-310(D) to the Department of Revenue in order to satisfy the requirements of the preventive maintenance credit in Section 12-6-3780(B)(2).~~

84.wv ADD (DOT: Waiver Valuations) **SFC SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to authorize DOT to use the waiver valuation process for right-of-way acquisitions of the Department with cost estimates of \$20,000 or less.

***84.wv.** (DOT: Waiver Valuations) For state or federal funds appropriated to the department, cost estimates of twenty thousand dollars or less for uncomplicated acquisitions of real property, defined as those involving unimproved strips of land with no damages, no changes in highest and best use, or no significant costs to cure, are considered waiver valuations as defined by the Federal Highway Administration and shall not be subject to the Uniform Standards of Professional Appraisal Practice.*

84.idw ADD (DOT: Indirect Cost Waiver Federally Funded Projects) **SFC SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to authorize DOT to continue to retain indirect project costs reimbursed from the Federal Highway Administration to be utilized for road and bridge projects in the state.

***84.idw.** (DOT: Indirect Cost Waiver Federally Funded Projects) The Department of Transportation shall retain indirect cost recoveries under Section 2-65-70 relating to federally funded projects. Recoveries retained shall be deposited in the State Highway Fund and used by the agency for repairs, maintenance, and improvements to the existing transportation system.*

SECTION 117 - X900 - GENERAL PROVISIONS

117.146 AMEND (GP: Electricity Market Reform) Directs that the Electricity Market Reform Measures Study Committee issue a report on its findings no later than January 31, 2025. Directs that the committee may continue to meet past that date and issue additional reports.

WMC: AMEND proviso to update calendar year references.

HOU: ADOPT proviso as amended.

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SFC SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

117.146. (GP: Electricity Market Reform) The Electricity Market Reform Measures Study Committee shall issue a report on its work to the General Assembly no later than January 31, ~~2025-2026~~; however, nothing in this provision prohibits the committee from continuing to meet past January 31, ~~2025-2026~~ and issue additional reports pursuant to Act 187 of 2020.