

Session 115 - (2003-2004)

S*0342 (Rat #0116, Act #0051 of 2003) General Bill, By McConnell

Similar (S 0394, H 3538)

Summary: DMV Reform

AN ACT TO AMEND CHAPTER 3, TITLE 56, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MOTOR VEHICLE REGISTRATION AND LICENSING, BY ADDING ARTICLE 41 SO AS TO PROVIDE THAT THE DEPARTMENT OF PUBLIC SAFETY SHALL ISSUE "SOUTH CAROLINA ELKS ASSOCIATION" SPECIAL LICENSE PLATES, AND TO PROVIDE FOR THE DISTRIBUTION OF FEES COLLECTED FOR THESE SPECIAL LICENSE PLATES; TO ENACT THE DEPARTMENT OF MOTOR VEHICLES REFORM ACT OF 2003; BY ADDING SECTION 56-1-5 SO AS TO ESTABLISH THE SOUTH CAROLINA DEPARTMENT OF MOTOR VEHICLES AS AN ADMINISTRATIVE AGENCY OF STATE GOVERNMENT; TO TRANSFER ALL FUNCTIONS, POWERS, DUTIES, RESPONSIBILITIES, AND AUTHORITY STATUTORILY EXERCISED BY THE MOTOR VEHICLE DIVISION AND THE MOTOR CARRIER SERVICES UNIT WITHIN THE DEPARTMENT OF PUBLIC SAFETY TO THE DEPARTMENT OF MOTOR VEHICLES, TO PROVIDE FOR THE APPOINTMENT OF AN EXECUTIVE DIRECTOR OF THE DEPARTMENT OF MOTOR VEHICLES AND HIS DUTIES AND RESPONSIBILITIES, AND TO PROVIDE THAT THE LEGISLATIVE AUDIT COUNCIL SHALL CONDUCT AN INDEPENDENT REVIEW OF THE DEPARTMENT OF MOTOR VEHICLES, TO PROVIDE THAT THE EMPLOYEES, FUNDS, APPROPRIATIONS, ASSETS, LIABILITIES, BONDED INDEBTEDNESS, REAL AND PERSONAL PROPERTY, CONTRACTUAL RIGHTS, AND OBLIGATIONS OF THE MOTOR VEHICLE DIVISION AND THE MOTOR CARRIER SERVICES UNIT OF THE DEPARTMENT OF PUBLIC SAFETY ARE TRANSFERRED TO AND BECOME PART OF THE DEPARTMENT OF MOTOR VEHICLES UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION SHALL HAVE ACCESS TO CERTAIN DATA AND REPORTS MAINTAINED BY THE DEPARTMENT OF MOTOR VEHICLES OR THE DEPARTMENT OF PUBLIC SAFETY, OR BOTH, TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MUST IMPLEMENT MOTOR CARRIER SERVICES IN SIX LOCATIONS THROUGHOUT THE STATE, TO CREATE AN INTERAGENCY ADVISORY COUNCIL BETWEEN THE STATE TRANSPORT POLICE AND THE MOTOR CARRIER SERVICES TO FACILITATE A SMOOTH AND EFFICIENT TRANSITION AND ENSURE EFFICIENT INFORMATION EXCHANGES, AND TO PROVIDE THAT THE GOVERNOR SHALL DESIGNATE A LEAD AGENCY TO DISTRIBUTE FEDERAL MOTOR CARRIER SAFETY GRANTS AND FUNDS; BY ADDING SECTION 56-1-15 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MUST ENTER INTO CONTRACTS WITH VARIOUS ENTITIES TO ADMINISTER CERTAIN PORTIONS OF THE DRIVER'S LICENSE EXAMINATION, TO PROVIDE THAT AN ENTITY MAY CHARGE A FEE IN EXCESS OF THE FEE CHARGED BY THE DEPARTMENT TO PROVIDE THIS SERVICE, TO PROVIDE THAT THE DEPARTMENT MUST RANDOMLY TEST DRIVER'S LICENSE APPLICANTS WHO SUCCESSFULLY COMPLETE A DRIVER'S LICENSE EXAMINATION ADMINISTERED BY AN ENTITY, AND TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY SUSPEND THE AUTHORITY OR CONTRACT OF AN ENTITY UNDER CERTAIN CIRCUMSTANCES; BY ADDING SECTION 56-1-125 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES SHALL REGISTER CERTAIN PERSONS FOR THE UNITED STATES SELECTIVE SERVICE WHEN THEY APPLY FOR THE ISSUANCE, RENEWAL, OR A DUPLICATE COPY OF CERTAIN DRIVER'S LICENSES OR AN IDENTIFICATION CARD; BY ADDING SECTION 56-1-345 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY CHARGE AND COLLECT CERTAIN FEES FOR PROVIDING COPIES OF CERTAIN RECORDS MAINTAINED BY THE DEPARTMENT; TO AMEND SECTION 1-30-90, AS AMENDED, RELATING TO ESTABLISHMENT OF THE DEPARTMENT OF PUBLIC SAFETY, SO AS TO DELETE ITS MOTOR VEHICLE DIVISION, TO DELETE THE RESPONSIBILITIES IT ASSUMED WHEN CERTAIN FUNCTIONS OF THE DIVISION OF MOTOR VEHICLES WERE TRANSFERRED TO IT, AND TO DELETE ITS MOTOR VEHICLE LICENSING, REGISTRATION, AND TITLING FUNCTIONS; TO AMEND SECTION 23-6-20, AS AMENDED, RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF PUBLIC SAFETY, SO AS TO DELETE ITS MOTOR VEHICLE DIVISION, AND CERTAIN RESPONSIBILITIES THAT WERE TRANSFERRED TO THE DEPARTMENT WHEN IT WAS ESTABLISHED; TO AMEND SECTION 23-6-30, AS AMENDED, RELATING TO THE DUTIES AND RESPONSIBILITIES OF THE DEPARTMENT OF PUBLIC SAFETY, SO AS TO DELETE CERTAIN DUTIES AND POWERS OF THE DEPARTMENT TO INCLUDE LICENSE SUSPENSIONS AND REVOCATIONS, THE TITLING AND REGISTRATION OF MOTOR VEHICLES, THE LICENSING OF MOTOR VEHICLE OPERATORS, THE COLLECTION OF LICENSE, REGISTRATION, TITLING, AND OTHER FEES, AND THE MAINTENANCE OF AN AUTOMATED SYSTEM FOR THE STORAGE AND RETRIEVAL OF ALL MOTOR VEHICLE AND MOTOR VEHICLE OPERATOR RECORDS; TO AMEND SECTION 56-1-10, AS AMENDED, RELATING TO THE DEFINITIONS OF TERMS CONCERNING THE REGULATION OF MOTOR VEHICLES IN THIS STATE, SO AS TO REVISE THE DEFINITION OF THE TERM "DEPARTMENT" TO MEAN THE DEPARTMENT OF MOTOR VEHICLES UNDER CERTAIN CIRCUMSTANCES AND

THE DEPARTMENT OF PUBLIC SAFETY UNDER OTHER CIRCUMSTANCES; TO AMEND SECTION 56-1-140, AS AMENDED, RELATING TO THE ISSUANCE OF A DRIVER'S LICENSE, SO AS TO PROVIDE FOR THE ISSUANCE OF A DRIVER'S LICENSE THAT IS VALID FOR TEN YEARS; TO AMEND SECTION 56-1-210, AS AMENDED, RELATING TO WHEN A DRIVER'S LICENSE IS NO LONGER VALID, AND THE RENEWAL OF A DRIVER'S LICENSE, SO AS TO PROVIDE THE CIRCUMSTANCES UPON WHICH A DRIVER'S LICENSE IS VALID FOR FIVE YEARS AND THE CIRCUMSTANCES UPON WHICH A DRIVER'S LICENSE IS VALID FOR TEN YEARS, TO DELETE A PROVISION THAT REQUIRES A DRIVER'S LICENSE APPLICANT TO SUCCESSFULLY PASS A VISION TEST AND THE CIRCUMSTANCES UPON WHICH THIS TEST MAY BE WAIVED, TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ALLOW A PERSON TO RENEW HIS DRIVER'S LICENSE ELECTRONICALLY, TO SUBSTITUTE THE TERM VISION SCREENING FOR THE TERM VISUAL EXAMINATION; TO AMEND SECTION 56-1-220, AS AMENDED, RELATING TO THE EYE EXAMINATION THAT IS REQUIRED OF A PERSON WHO SEEKS TO RENEW HIS DRIVER'S LICENSE, SO AS TO REVISE THE CIRCUMSTANCES UPON WHICH A PERSON WHO SEEKS TO RENEW HIS DRIVER'S LICENSE MUST HAVE HIS EYES EXAMINED OR SCREENED; TO AMEND SECTION 56-2-2740, AS AMENDED, RELATING TO THE DEPARTMENT OF PUBLIC SAFETY'S AUTHORITY TO REFUSE TO RENEW THE DRIVER'S LICENSE AND MOTOR VEHICLE REGISTRATION OF A PERSON WHO HAS NOT PAID CERTAIN PROPERTY TAXES, AND TO THE DEPARTMENT'S ISSUANCE OF BIENNIAL LICENSE PLATES AND REVALIDATION DECALS, SO AS TO PROVIDE THAT THIS PROVISION RELATES TO PERSONAL PROPERTY TAXES, TO PROVIDE THAT THESE FUNCTIONS ARE TRANSFERRED TO THE DEPARTMENT OF MOTOR VEHICLES FROM THE DEPARTMENT OF PUBLIC SAFETY, TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ENTER INTO CONTRACT WITH CERTAIN ENTITIES TO ISSUE LICENSE PLATES AND REVALIDATION DECALS, AND TO PROVIDE THAT THESE ENTITIES MAY CHARGE A FEE IN EXCESS OF THE FEE CHARGED BY THE DEPARTMENT FOR THE PROVISION OF THESE SERVICES; TO AMEND SECTION 56-19-420, AS AMENDED, RELATING TO CERTAIN FEES THAT MAY BE CHARGED FOR THE ISSUANCE OF CERTAIN MOTOR VEHICLE TITLES, SO AS TO INCREASE THE FEE THAT MAY BE CHARGED FOR THE ISSUANCE OF THESE TITLES, AND TO PROVIDE THAT A PORTION OF THIS FEE MUST BE USED BY THE DEPARTMENT OF MOTOR VEHICLES TO DEFRAY CERTAIN OPERATIONAL EXPENSES; TO REPEAL SECTION 23-6-35 RELATING TO CERTAIN FEES THE DEPARTMENT OF PUBLIC SAFETY MAY CHARGE AND COLLECT FOR PROVIDING COPIES OF CERTAIN RECORDS, AND ARTICLE 7, CHAPTER 6, TITLE 23, RELATING TO THE DUTIES, FUNCTIONS, AND RESPONSIBILITIES OF THE MOTOR VEHICLE DIVISION WITHIN THE DEPARTMENT OF PUBLIC SAFETY; TO PROVIDE THAT THE TERMS MOTOR VEHICLE DIVISION, MOTOR VEHICLES DIVISION, DIVISION OF MOTOR VEHICLE, AND DIVISION OF MOTOR VEHICLES SHALL MEAN THE DEPARTMENT OF MOTOR VEHICLES, UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE THAT THE TERM DEPARTMENT OF PUBLIC SAFETY SHALL MEAN THE DEPARTMENT OF MOTOR VEHICLES UNDER CERTAIN CIRCUMSTANCES, AND TO DIRECT THE CODE COMMISSIONER TO CHANGE THESE REFERENCES UNDER CERTAIN CIRCUMSTANCES; TO PROVIDE THAT IS UNLAWFUL FOR A PERSON TO DISCLOSE ANY CONFIDENTIAL INFORMATION WHICH BELONGS TO THE DEPARTMENT OF PUBLIC SAFETY MOTOR VEHICLE DIVISION UNDER CERTAIN CIRCUMSTANCES DURING OR AFTER THE TRANSFER OF THE CONFIDENTIAL INFORMATION FROM THE MOTOR VEHICLE DIVISION TO THE DEPARTMENT OF MOTOR VEHICLES, AND TO PROVIDE A PENALTY FOR A PERSON WHO VIOLATES THIS PROVISION; BY ADDING SECTION 56-1-215 SO AS TO PROVIDE THAT UNDER CERTAIN CIRCUMSTANCES A PERSON MAY HAVE HIS LICENSE RENEWED WITHOUT TAKING THE ROAD TEST OR A WRITTEN EXAMINATION; TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES IS PROHIBITED FROM HIRING ADDITIONAL EMPLOYEES UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 29-5-10, AS AMENDED, RELATING TO MECHANICS LIENS CONCERNING A PERSON WHO FURNISHES LABOR AND MATERIAL FOR THE ERECTION, ALTERATION, OR REPAIR OF A BUILDING OR STRUCTURES, SO AS TO REVISE THE COMPONENTS OF THE TERM "WORK OF MAKING THE REAL ESTATE SUITABLE AS A SITE FOR A BUILDING OR STRUCTURE" TO INCLUDE THE DISPOSAL OF CERTAIN CONSTRUCTION AND DEMOLITION DEBRIS; AND BY ADDING SECTION 29-5-27 SO AS TO PROVIDE THAT ANY PERSON PROVIDING CERTAIN CONSTRUCTION AND DEMOLITION DEBRIS DISPOSAL SERVICES IS A LABORER, AND TO PROVIDE A DEFINITION FOR THE TERM PERSON. - ratified title

02/11/03 Senate Introduced and read first time SJ-4
02/11/03 Senate Referred to Committee on Transportation SJ-4
04/03/03 Senate Committee report: Favorable Transportation SJ-7
04/08/03 Senate Read second time SJ-40
04/08/03 Senate Ordered to third reading with notice of amendments SJ-40
04/09/03 Senate Read third time and sent to House SJ-30

04/10/03 House Introduced and read first time HJ-10
04/10/03 House Referred to Committee on Education and Public Works HJ-10
05/13/03 House Committee report: Favorable with amendment Education and Public Works HJ-3
05/14/03 Scrivener's error corrected
05/15/03 House Amended HJ-24
05/15/03 House Read second time HJ-36
05/15/03 House Unanimous consent for third reading on next legislative day HJ-36
05/16/03 House Read third time and returned to Senate with amendments HJ-2
05/20/03 Senate House amendment amended SJ-4
05/20/03 Senate Returned to House with amendments SJ-4
05/21/03 House Non-concurrence in Senate amendment HJ-2
05/21/03 Scrivener's error corrected
05/21/03 Senate Senate insists upon amendment and conference committee appointed Sens. Ryberg, Hutto, Ritchie SJ-16
05/22/03 House Conference committee appointed Reps. Townsend, JM Neal and Gilham HJ-2
05/28/03 Senate Free conference powers granted SJ-19
05/28/03 Senate Free conference committee appointed Ryberg, Hutto, Ritchie SJ-19
05/29/03 House Free conference powers granted HJ-36
05/29/03 House Free conference committee appointed Reps. Townsend, JM Neal and Gilham HJ-38
05/29/03 House Free conference report adopted HJ-38
05/29/03 Senate Free conference report received and adopted SJ-19
05/29/03 House Ordered enrolled for ratification HJ-63
06/03/03 Ratified R 116
06/05/03 Signed By Governor
06/19/03 Copies available
06/19/03 Effective date See Act for Effective Date
06/26/03 Act No. 51