

## Session 119 - (2011-2012)

### H 4438 General Bill, By Rutherford and Clyburn

#### Summary: Choice of test for DUI arrest

A BILL TO AMEND SECTION 56-5-2950, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A DRIVER OF A MOTOR VEHICLE IMPLIED CONSENT TO BE TESTED TO DETERMINE WHETHER ALCOHOL OR DRUGS ARE PRESENT IN HIS BREATH, BLOOD, OR URINE, SO AS TO PROVIDE THAT A PERSON WHO IS ARRESTED FOR DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS MUST BE OFFERED THE CHOICE OF TAKING A BREATH OR BLOOD TEST TO DETERMINE THE PRESENCE OF ALCOHOL OR DRUGS IN HIS SYSTEM, AND TO PROVIDE THAT A PERSON WHO REGISTERS AN ALCOHOL CONCENTRATION OF FIVE ONE-HUNDREDTHS OF ONE PERCENT OR LESS MAY NOT BE CHARGED WITH DRIVING A MOTOR VEHICLE WHILE UNDER THE INFLUENCE OF ALCOHOL OR DRUGS.

11/29/11 House **Prefiled**

11/29/11 House **Referred to Committee on Judiciary**

01/10/12 House **Introduced and read first time (House Journal-page 38)**

01/10/12 House **Referred to Committee on Judiciary (House Journal-page 38)**