

Session 113 - (1999-2000)

H 3008 General Bill, By Kirsh, Davenport, Simrill and Dantzler

Summary: DUI, chemical tests for alcohol or drugs, Transportation Department, Traffic violations, alcoholic content

A BILL TO AMEND SECTION 56-5-2950, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE IMPLIED CONSENT TO A CHEMICAL TEST TO DETERMINE THE ALCOHOLIC CONTENT OF THE BLOOD OF A PERSON WHO OPERATES A MOTOR VEHICLE UPON THE PUBLIC ROADS OF THIS STATE, SO AS TO DECREASE THE PERCENTAGES OF ALCOHOL IN A PERSON'S BLOOD USED TO CREATE PRESUMPTIONS WHICH MUST BE USED IN DETERMINING THE GUILT OF PERSONS VIOLATING THE PROVISIONS OF SECTION 56-5-2930 AND TO PROVIDE THAT ON AND AFTER JULY 1, 2000, IT MUST BE INFERRED THAT A PERSON IS UNDER THE INFLUENCE OF ALCOHOL IF THERE WAS AT THAT TIME EIGHT ONE-HUNDREDTHS OF ONE PERCENT OR MORE BY WEIGHT OF ALCOHOL IN THE PERSON'S BLOOD; TO PROVIDE A TRANSITION PERIOD FOR THE FURTHER REDUCTION OF THE PERCENTAGES; AND TO REPEAL SECTION 7 OF ACT 434 OF 1998 WHICH GENERALLY REVISES SECTION 56-5-2950 OF THE 1976 CODE RELATING TO IMPLIED CONSENT OF CHEMICAL TESTS FOR THE PRESENCE OF ALCOHOL OR DRUGS.

12/09/98	House	Prefiled
12/09/98	House	Referred to Committee on Judiciary
01/12/99	House	Introduced and read first time HJ-11
01/12/99	House	Referred to Committee on Judiciary HJ-12