

Session 114 - (2001-2002)

S 0350 General Bill, By Hawkins

Summary: DUI, alcohol restricted drivers' licenses, issuance of; Motor Vehicles, Transportation Department, Traffic violations

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-1-325 SO AS TO PROVIDE THAT UPON ISSUING A PERSON A ROUTE RESTRICTED DRIVER'S LICENSE, THE DEPARTMENT OF PUBLIC SAFETY MUST PROVIDE THE PERSON WITH A COPY OF THE APPROVED ROUTE THAT HAS BEEN CERTIFIED BY THE DEPARTMENT'S MOTOR VEHICLE DIVISION, WHICH MUST BE CARRIED BY THE PERSON WHEN HE OPERATES A MOTOR VEHICLE AND WHICH MUST BE DISPLAYED UPON DEMAND BY A LAW ENFORCEMENT OFFICER, AND TO PROVIDE THAT A PERSON WHO FAILS TO MAINTAIN THE CERTIFIED COPY OF THE APPROVED ROUTE OR FAILS TO DISPLAY IT UPON DEMAND BY A LAW ENFORCEMENT OFFICER IS SUBJECT TO THE PENALTIES ASSOCIATED WITH DRIVING WITH A DRIVER'S LICENSE THAT HAS BEEN CANCELLED, SUSPENDED, OR REVOKED; TO AMEND SECTION 56-1-286, AS AMENDED, RELATING TO THE DEPARTMENT OF PUBLIC SAFETY'S SUSPENSION OF A DRIVER'S LICENSE OR PERMIT, OR DENIAL OF THE ISSUANCE OF A DRIVER'S LICENSE OR PERMIT TO A PERSON UNDER THE AGE OF TWENTY-ONE WHO DRIVES A MOTOR VEHICLE AND HAS AN ALCOHOL CONCENTRATION OF TWO ONE-HUNDREDTHS OF ONE PERCENT OR MORE, SO AS TO PROVIDE THAT ONLY ONE TEMPORARY ALCOHOL RESTRICTED LICENSE MAY BE ISSUED TO A PERSON PURSUANT TO THIS SECTION IN ANY FIVE-YEAR PERIOD, AND TO PROVIDE THAT IF A HOLDER OF A TEMPORARY ALCOHOL RESTRICTED LICENSE RECEIVES A SUBSEQUENT SUSPENSION, THE TEMPORARY ALCOHOL RESTRICTED LICENSE MUST BE REVOKED, THE REMAINING SUSPENSION PERIOD FOR WHICH THE TEMPORARY RESTRICTED LICENSE WAS ISSUED MUST BE IMPOSED, AND THE PERSON IS NOT ELIGIBLE FOR ANY OTHER DRIVER'S LICENSE UNTIL THE SUSPENSION FOR WHICH THE TEMPORARY ALCOHOL RESTRICTED LICENSE WAS ISSUED HAS BEEN EITHER SERVED COMPLETELY OR RESCINDED; AND TO AMEND SECTION 56-5-2951, AS AMENDED, RELATING TO THE SUSPENSION OF A PERSON'S DRIVER'S LICENSE FOR HIS REFUSAL TO SUBMIT TO CERTAIN TESTS TO DETERMINE HIS LEVEL OF ALCOHOL CONCENTRATION, SO AS TO PROVIDE THAT ONLY ONE TEMPORARY ALCOHOL RESTRICTED LICENSE MAY BE ISSUED TO A PERSON PURSUANT TO THIS SECTION IN ANY TEN-YEAR PERIOD, AND TO PROVIDE THAT IF A HOLDER OF A TEMPORARY ALCOHOL RESTRICTED LICENSE RECEIVES A SUBSEQUENT SUSPENSION, THE TEMPORARY ALCOHOL RESTRICTED LICENSE MUST BE REVOKED, THE REMAINING SUSPENSION PERIOD FOR WHICH THE TEMPORARY RESTRICTED LICENSE WAS ISSUED MUST BE IMPOSED, AND THE PERSON IS NOT ELIGIBLE FOR ANY OTHER DRIVER'S LICENSE UNTIL THE SUSPENSION FOR WHICH THE TEMPORARY ALCOHOL RESTRICTED LICENSE WAS ISSUED HAS BEEN EITHER SERVED COMPLETELY OR RESCINDED.

02/20/01 Senate Introduced and read first time SJ-3

02/20/01 Senate Referred to Committee on Judiciary SJ-3

04/25/01 Senate Committee report: Majority favorable with amend., minority unfavorable Judiciary SJ-21

04/26/01 Senate Minority report withdrawn SJ-101

04/26/01 Senate Amended SJ-101

05/14/02 Senate Recommitted to Committee on Judiciary SJ-61