Agency Name: Department of Public Safety

Statutory Authority: 23-6-30(6)

Document Number: 5078

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House Committee: Regulations and Administrative Procedures Committee

Senate Committee: Judiciary Committee

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Status: Final

Subject: Safety Rules and Regulations

History: 5078

By Date Action Description Jt. Res. No. Expiration Date

- 10/22/2021 Proposed Reg Published in SR

- 01/11/2022 Received by Lt. Gov & Speaker 05/11/2022

H 01/11/2022 Referred to Committee

S 01/11/2022 Referred to Committee

- 05/11/2022 Approved by: Expiration Date

- 05/27/2022 Effective Date unless otherwise

 provided for in the Regulation

Document No. 5078

**DEPARTMENT OF PUBLIC SAFETY**

CHAPTER 38

Statutory Authority: 1976 Code Section 23‑6‑30(6)

38‑424. Safety Rules and Regulations.

**Synopsis:**

Pursuant to Section 1‑23‑120(J), the South Carolina Department of Public Safety proposes to amend Regulation 38‑424 Safety Rules and Regulations. The proposed amendment will mandate compliance with the United States Department of Transportation Pipeline and Hazardous Materials Safety Administration registration requirement codified in 49 CFR 107.608 General Registration Requirements.

Section‑by‑Section Discussion:

38-424. Add 49 CFR Part 107

The Notice of Drafting was published in the *State Register* on August 27, 2021.

**Instructions:**

Print the regulation as shown below. All other items remain unchanged.

**Text:**

38‑424. Safety Rules and Regulations.

 The rules and regulations adopted by the United States Department of Transportation relating to safety of operation and to equipment (49 CFR Parts 382, 383, 385, 387, and 390‑399 and amendments thereto), and the rules and regulations adopted by the United States Department of Transportation relating to hazardous materials (49 CFR Parts 107 and 171‑180 and amendments thereto) shall apply to all motor carrier vehicles engaged in interstate commerce and intrastate commerce over the highways within the State of South Carolina, whether common carriers, contract carriers, exempt carriers, or private carriers, except where these aforementioned rules and regulations may conflict with South Carolina Law, provided that any rule or regulation which fixes the minimum age of vehicle drivers at 21 years is hereby changed insofar as South Carolina intrastate carriers are concerned to establish a minimum age of 18 years for vehicle drivers.

**Fiscal Impact Statement:**

The South Carolina Department of Public Safety anticipates no financial impact on the State or any of its political subdivisions as a result of the proposed amendment.

**Statement of Rationale:**

The proposed amendment is made pursuant to Section 1‑23‑120(J). The proposed amendment will mandate compliance with the United States Department of Transportation Pipeline and Hazardous Materials Safety Administration registration requirement codified in 49 CFR 107.608 General Registration Requirements.