**South Carolina General Assembly**

118th Session, 2009-2010

**H. 3038**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Kirsh and Toole

Document Path: l:\council\bills\ms\7013zw09.docx

Introduced in the House on January 13, 2009

Currently residing in the House Committee on **Judiciary**

Summary: Motor vehicle insurance

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/9/2008 House Prefiled

12/9/2008 House Referred to Committee on **Judiciary**

1/13/2009 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2009\01-13-09.docx)‑30

1/13/2009 House Referred to Committee on **Judiciary** [HJ](file:///h:\HJ%20Archive\2009\01-13-09.docx)‑30

**VERSIONS OF THIS BILL**

[12/9/2008](file:///p:\pprever\2009-10\3038_20081209.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38‑77‑215 SO AS TO PROHIBIT THE AWARDING OF DAMAGES IN FAVOR OF A PERSON WHO IS INJURED WHILE OPERATING HIS MOTOR VEHICLE IF HIS INJURIES RESULTED FROM HIS OPERATION OF THE VEHICLE AND IF HE DID NOT HAVE IN EFFECT FOR THAT VEHICLE THE FINANCIAL SECURITY REQUIRED BY THE LAWS OF THIS STATE AT THE TIME THE INJURY OCCURRED.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 3, Chapter 77, Title 38 of the 1976 Code is amended by adding:

“Section 38‑77‑215. Notwithstanding another provision of law, damages must not be assessed in favor of a person who is operating his motor vehicle and his injuries resulted from his operation of the vehicle if he did not have in effect for that vehicle the financial security required by the laws of this State at the time the injury occurred, including specifically a person who has failed to register an uninsured motor vehicle and failed to pay the requisite uninsured motorist fee pursuant to Article 5, Chapter 10, Title 56.”

SECTION 2. This act takes effect upon approval by the Governor.

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