**South Carolina General Assembly**

118th Session, 2009-2010

**H. 4512**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Thompson

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Companion/Similar bill(s): 4117

Introduced in the House on February 3, 2010

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

Summary: Speed limits

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/3/2010 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2010\02-03-10.docx)‑3

2/3/2010 House Referred to Committee on **Judiciary** [HJ](file:///h:\HJ%20Archive\2010\02-03-10.docx)‑3

**VERSIONS OF THIS BILL**

[2/3/2010](file:///p:\pprever\2009-10\4512_20100203.docx)

**A** **BILL**

TO AMEND SECTION 56‑5‑1520, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MAXIMUM SPEED LIMITS THAT MAY BE IMPOSED UPON THE STATE’S HIGHWAYS, SO AS TO PROVIDE FOR ADDITIONAL PENALTIES THAT MUST BE IMPOSED UPON DRIVERS WHO ARE CONVICTED OF DRIVING NINETY MILES AN HOUR OR MORE ON A MULTILANE HIGHWAY, OR EIGHTY MILES AN HOUR OR MORE ON ANY OTHER HIGHWAY.

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

SECTION 1. Section 56‑5‑1520 of the 1976 Code is amended to read:

“Section 56‑5‑1520. (A) A person shall not drive a vehicle on a highway at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing. Speed must be so controlled to avoid colliding with a person, vehicle, or other conveyance on or entering the highway in compliance with legal requirements and the duty of a person to use care.

(B) Except when a special hazard exists that requires lower speed for compliance with subsection (A), the limits specified in this section or established as hereinafter authorized are maximum lawful speeds, and a person shall not drive a vehicle on a highway at a speed in excess of these maximum limits:

(1) seventy miles an hour on the interstate highway system and other freeways where official signs giving notice of this speed are posted;

(2) sixty miles an hour on multilane divided primary highways where official signs giving notice of this speed limit are posted;

(3) fifty‑five miles an hour in other locations or on other sections of highways and unpaved roads are limited to the speed of forty miles an hour; and

(4) manufactured, modular, or mobile homes must not be transported at a speed in excess of ten miles below the maximum posted speed limit when the maximum posted speed limit is in excess of forty‑five miles an hour, and never in excess of fifty‑five miles an hour.

(C) Thirty miles an hour is the maximum speed in an urban district. ‘Urban district’ means the territory contiguous to and including any street which is built up with structures devoted to business, industry, or dwelling houses situated at intervals of less than one hundred feet for a distance of a quarter of a mile or more.

(D) A local authority on the basis of an engineering and traffic investigation may determine that the maximum speed limit permitted under this article is less than thirty miles an hour in an urban district. If this determination is made, the maximum speed limit for the urban district is enforceable by all law enforcement officers authorized to enforce the traffic laws in the urban district. However, this subsection does not apply to highways within the state highway system contained in Section 56‑5‑1530.

(E) The maximum speed limits set forth in this section may be altered pursuant to Sections 56‑5‑1530 and 56‑5‑1540.

(F) The driver of a vehicle shall drive, consistent with the requirements of subsection (A), at an appropriate reduced speed when approaching and crossing an intersection or railway grade crossing, when approaching and going around a curve, approaching a hillcrest, when traveling upon any narrow bridge, narrow or winding roadway, and when special hazard exists with respect to pedestrians or other traffic or by reason of weather or highway conditions.

(G) A person violating the speed limits established by this section is guilty of a misdemeanor and, upon conviction for a first offense, must be fined or imprisoned as follows:

(1) in excess of the above posted limit but not in excess of ten miles an hour by a fine of not less than fifteen dollars nor more than twenty‑five dollars;

(2) in excess of ten miles an hour but less than fifteen miles an hour above the posted limit by a fine of not less than twenty‑five dollars nor more than fifty dollars;

(3) in excess of fifteen miles an hour but less than twenty‑five miles an hour above the posted limit by a fine of not less than fifty dollars nor more than seventy‑five dollars; and

(4) in excess of twenty‑five miles an hour above the posted limit by a fine of not less than seventy‑five dollars nor more than two hundred dollars or imprisoned for not more than thirty days.

(H) In addition to any other fine or penalty imposed under this section, a fine of two hundred dollars must be imposed upon a driver who is convicted of, pleads guilty to, or pleads nolo contendere to driving ninety miles an hour or more on an interstate highway or on a multilane divided primary highway, or eighty miles an hour or more on any other highway or road. A driver who has this additional penalty imposed upon him:

(1) must be classified as a ‘super speeder’;

(2) must be notified by the department of the imposition of this additional fine within thirty days after the department receives a notice of the conviction; and

(3) shall have his driver’s license suspended if he fails to pay the additional penalty within ninety days of its imposition, and must pay an additional fee of fifty dollars to have his driver’s license reinstated.

(I) A citation for violating the speed limits issued by any authorized officer must note on it the rate of speed for which the citation is issued.

~~(I)~~(J) In expending the funds credited to the state general fund from fines generated under subsection (G), the Department of Public Safety first shall consider the need for additional highway patrolmen.”

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

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