COMMITTEE REPORT

April 13, 2010

**H. 3755**

Introduced by Rep. Crawford

S. Printed 4/13/10--H.

Read the first time March 25, 2009.

**THE COMMITTEE ON EDUCATION AND PUBLIC WORKS**

To whom was referred a Bill (H. 3755) to amend the Code of Laws of South Carolina, 1976, by adding Article 79 to Chapter 3, Title 56 so as to provide for the issuance of “South Carolina Educator”, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“Article 77

I Support Libraries Special License Plates

Section 56‑3‑7890. (A) The Department of Motor Vehicles may issue special motor vehicle license plates to owners of private passenger carrying motor vehicles, as defined in Section 56‑3‑630, or motorcycles registered in their names which must have imprinted on the plate ‘I Support Libraries’. This special license plate must be of the same size and general design of regular motor vehicle license plates. This special license plate must be issued or revalidated for a biennial period which expires twenty‑four months from the month it is issued.

(B) The fees collected pursuant to this section above the cost of producing the license plates must be equally distributed between the South Carolina Association of School Librarians and the South Carolina Library Association.

(C) The guidelines for the production of a special license plate under this section must meet the requirements of Section 56‑3‑8100.”

SECTION 2. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“Article 79

South Carolina Educator Special License Plates

Section 56‑3‑7930. The Department of Motor Vehicles may issue special motor vehicle license plates to owners of private passenger carrying motor vehicles, as defined in Section 56‑3‑630, or motorcycles registered in their names which must have imprinted on the plate ‘South Carolina Educator’. This application for this special license plate must include proof that the applicant is a public or private kindergarten through twelfth grade school teacher. This special license plate must be of the same size and general design of regular motor vehicle license plates. This special license plate must be issued or revalidated for a biennial period which expires twenty‑four months from the month it is issued.

(B) The guidelines for the production of a special license plate under this section must meet the requirements of Section 56‑3‑8100.”

SECTION 3. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“Article 108

Raccoon Hunters License Plates

Section 56‑3‑10810. (A) The Department of Motor Vehicles may issue special motor vehicle license plates to owners of private passenger carrying motor vehicles, as defined in Section 56‑3‑630, or motorcycles registered in their names which must have imprinted on the plate ‘Raccoon Hunters’.

(B) The fees collected pursuant to this section above the cost of producing the license plates must be distributed to the South Carolina State Coon Hunters Association Youth Fund.

(C) The guidelines for the production of a special license plate under this section must meet the requirements of Section 56‑3‑8100.”

SECTION 4. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“Article 108

Beach Music Special License Plates

Section 56‑3‑10810. (A) The Department of Motor Vehicles may issue ‘Beach Music’ special motor vehicle license plates to owners of private passenger motor vehicles as defined in Section 56‑3‑630 and motorcycles registered in their names which may have imprinted on the plate an emblem, a seal, or other symbol chosen by the department in consultation with the South Carolina Arts Commission reflecting the status of beach music as the official state popular music pursuant to Section 1‑1‑689. License plate number ‘one’ for the beach music license plate is reserved for the president of the Beach Music Association International or its successor organization if that individual is otherwise eligible to register a qualifying motor vehicle in this State. License plate number ‘two’ for the beach music license plate is reserved for the Chairman of the board of trustees of Coastal Carolina University if that individual is otherwise eligible to register a motor vehicle in this State. The special license plate must be issued or revalidated for a biennial period which expires twenty‑four months from the month it is issued. The fee for this special license plate is the regular motor vehicle registration fee contained in Article 5, Chapter 3 of this title and a special motor vehicle license fee of twenty dollars.

(B) Notwithstanding any other provision of law, from the fees collected pursuant to this section, the Comptroller General shall place sufficient funds into a special restricted account to be used by the Department of Motor Vehicles to defray the expenses of the department in producing and administering the special license plates. The remaining funds collected from the special motor vehicle license fee must be placed in the state’s general fund.

(C) The guidelines for the production of a special license plate under this section must meet the requirements of Section 56‑3‑8100.”

SECTION 5. Section 56‑3‑1240 of the 1976 Code, as last amended by Act 347 of 2008, is further amended to read:

Section 56‑3‑1240 of the 1976 Code, as last amended by Act 347 of 2008, is further amended to read:

“Section 56‑3‑1240. License plates issued for motor vehicles must be attached to the outside rear of the vehicle, open to view. However, on truck tractors and road tractors the plates must be attached to the outside front of the vehicle provided that single unit commercial motor vehicles with a gross vehicle weight rating in excess of twenty‑six thousand pounds may have the license plate on either the outside front or rear of the vehicle. Every license plate, at all times, must be fastened securely in a horizontal and upright position to the vehicle for which it was issued so as to prevent the plate from swinging. However, if a motorcycle is equipped with vertically mounted license plate brackets, its license plate must be mounted vertically with its top fastened along the right vertical edge. The bottom of the plate must be at a height of not less than twelve inches from the ground in a place and position clearly visible as provided in Section 56‑5‑4530, and it must be maintained free from foreign materials and in a clearly legible condition. No other license plate, lighting equipment, except as permitted in Section 56‑5‑4530, tag, sign, monogram, tinted cover, or inscription of metal or other material may be displayed above, ~~around,~~ or upon the plate other than that which is authorized and issued by the Department of Motor Vehicles for the purpose of validating the plate. It is not unlawful to place a decal or a frame on the license plate if it does not obscure any letters or numbers. A motor vehicle owner may attach a trailer hitch to a motor vehicle provided the hitch does not obscure more than two inches of the license plate issued to the motor vehicle. It is unlawful to operate or drive a motor vehicle with the license plate missing and a person who is convicted for violating this section must be punished as provided by Section 56‑3‑2520.”

SECTION 6. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

PHILLIP D. OWENS for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

Minimal (Some additional costs expected but can be absorbed)

**EXPLANATION OF IMPACT:**

The Department of Motor Vehicles indicates this bill will have no impact on the General Fund of the State. There will be a minimal impact on other funds, which will be absorbed by the agency upon collection of the fee for the new special license plates.

*Approved By:*

Harry Bell

Office of State Budget

**STATEMENT OF ESTIMATED FISCAL IMPACT**

**REVENUE IMPACT** 1/

This bill is expected to raise DMV earmarked funds by $2,000 in FY 2010-11. Conversely, it would reduce SIB restricted funds by $2,000 in FY 2010-11. This bill would not impact state general fund revenue.

**Explanation**

This bill authorizes the Department of Motor Vehicles (DMV) to issue 'South Carolina Educator' special license plates to public and private kindergarten through twelfth grade school teachers in this State for private motor vehicles registered in their names. The application must include proof that the person is a public or private kindergarten through twelfth grade school teacher.

Pursuant to Section 56-3-8100, prerequisites for production of any special license plate by DMV are a minimum of 400 prepaid applications, or a deposit of $4,000. Since no ‘special fee’ is set in current language, the biennial fee for this special plate would be the regular, biennial registration fee set forth in Article 5, Chapter 3 of this Title ($20-$24 for autos, based on age; $30 for light trucks; or $10 for motorcycles).

We estimate first-year sales of 400 tags with a distribution of 296 autos and 104 light-duty trucks. Although current language does not add a “special” fee, as in current practice we expect DMV to recoup its cost. Accordingly, multiplying 400 plates by an estimated cost differential (new vs. renewal) of +$5 per new plate would raise DMV earmarked funds by a total of $2,000 in FY2010-11. Revenue allocated to the S. C. Transportation Infrastructure Bank (SIB) pursuant to Section 56-3-910 is net of DMV’s costs as applicable. That proration would, conversely, be reduced by approximately $5 per new, special plate in FY2010-11. Thus, restricted funds within the SIB would be reduced by a total of $2,000 (@ $5 times 400 special plates) in FY2010-11. Since the general fund receives no revenue from standard, biennial registration fees, the bill would have no impact on state general fund revenue.

*Approved By:*

William C. Gillespie

Board of Economic Advisors

1/ This statement meets the requirement of Section 2-7-71 for a state revenue impact by the BEA, or Section 2-7-76 for a local revenue impact or Section 6-1-85(B) for an estimate of the shift in local property tax incidence by the Office of Economic Research.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 79 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE FOR THE ISSUANCE OF “SOUTH CAROLINA EDUCATOR” SPECIAL LICENSE PLATES.

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

SECTION 1. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“Article 79

South Carolina Educator Special License Plates

Section 56‑3‑7930. The Department of Motor Vehicles may issue ‘South Carolina Educator’ special motor vehicle license plates to public and private kindergarten through twelfth grade school teachers for private motor vehicles registered in their names. This application for this special license plate must include proof that the applicant is a public or private kindergarten through twelfth grade school teacher.”

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

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