COMMITTEE AMENDMENT AMENDED AND ADOPTED

May 12, 2009

**H. 3762**

Introduced by Reps. Duncan, Umphlett, Dillard, Ott, Forrester, Moss, Parker, Stringer, Vick, Hodges and Knight

S. Printed 5/12/09--S.

Read the first time April 14, 2009.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 77 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE “OUR FARMS‑OUR FUTURE” SPECIAL LICENSE PLATES.

Amend Title To Conform

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 77

Our Farms‑Our Future 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 shall have imprinted on the plate ‘Our Farms‑Our Future’ and which may have a design representative of agriculture. The South Carolina Farm Bureau Federation shall submit to the department for its approval a design it desires to be used for this special license plate. The South Carolina Farm Bureau Federation may request a change in the design not more than once every five years. The fee for this special license plate is seventy dollars every two years in addition to the regular motor vehicle registration fee set forth in Article 5, Chapter 3, Title 56. 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 the regular motor vehicle registration fee must be distributed to the 501(c)(3) nonprofit South Carolina Farm Bureau Federation ‘Ag in the Classroom’ 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 2. A. Article 45, Chapter 3, Title 56 of the 1976 Code, is amended to read:

“Article 45

~~SPECIAL COMMEMORATIVE~~ SOUTH CAROLINA WILDLIFE LICENSE PLATES

Section 56‑3‑4510. ~~The Department of Motor Vehicles shall issue a series of special commemorative motor vehicle license plates for use by the owner on his private passenger motor vehicle for the purposes of the “Non‑game Wildlife and Natural Areas Fund” provided in Section 50‑1‑280. The special fee for the commemorative license plate is thirty dollars and this amount must be placed in the fund. This fee is in addition to the regular motor vehicle registration fee set forth in Article 5, Chapter 3 of Title 56. The commemorative plate must be of the same size and general design of regular motor vehicle license plates and must be imprinted with the words “South Carolina Protects Endangered Species”. The plates must be issued or revalidated for a biennial period, which expires twenty‑four months from the month they are issued.~~ (A) The department shall issue a collection of special motor vehicle license plates to owners of private passenger carrying motor vehicles and motorcycles. The fee for each special license plate is thirty dollars every two years in addition to the regular motor vehicle license fee set forth in Article 5, Chapter 3 of this title. Each special license plate must be of the same size and general design of regular motor vehicle license plates, and must be imprinted with the words ‘South Carolina Wildlife’. Each special license plate must be issued or revalidated for a biennial period which expires twenty‑four months from the month the special license plate is issued.

(B) Of 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 this special license plate collection. The remaining funds collected from each special motor vehicle license plate fee must be deposited in the Game Protection Fund provided for in Title 50.

(C) The department simultaneously may make available more than one special license plate. However, before the department produces and distributes a special license plate with the South Carolina Wildlife collection pursuant to this section, it must comply with the provisions contained in Section 56-3-8100.”

B. The name of the “Game Protection Fund” as contained in Title 50 is hereby changed to the “Fish and Wildlife Protection Fund”. Wherever the term “Game Protection Fund” appears in the 1976 Code, it shall mean the “Fish and Wildlife Protection Fund” and the Code Commissioner is directed to change this reference at a time and in a manner that is timely and cost effective.

SECTION 3. Section 56‑3‑9910 of the 1976 Code is amended to read:

“Section 56‑3‑9910. (A) The Department of Motor Vehicles may issue ‘Gold Star Family’ special license plates to owners of private passenger motor vehicles as defined in Section 56‑3‑630 registered in their names who are immediate family members of members of the armed forces killed in action. ~~The~~ There is no fee for this special license plate ~~must be the regular motor vehicle license fee contained in Article 5, Chapter 3 of this title and the special fee required by Section 56‑3‑2020~~. The license plates issued pursuant to this section must conform to a design agreed to by the department and the Chief Executive Officer of the South Carolina Chapter of American Gold Star Mothers, Inc. or other similar organization operating in this State. ~~Notwithstanding any other provision of law, of the fees collected for the special license plate, 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 of Motor Vehicles in producing and administering the special plate.~~

(B) Notwithstanding another provision of law, the provisions contained in Section 56‑3‑8000(B) and (C) do not apply to the production and distribution of ‘Gold Star Family’ special license plates.

(C) For the purposes of this section, ‘immediate family member’ means a person who is a spouse, a child, claimed as a dependent for income tax purposes, or a sibling.”

SECTION 4. This act takes effect upon approval by the Governor.

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