COMMITTEE REPORT

April 29, 2010

**H. 4280**

Introduced by Reps. M.A. Pitts, Toole, Parks, Vick, Pinson, Huggins, Duncan, Jennings, Rice, Hiott, Agnew, J.E. Smith, J.R. Smith, Millwood, Anthony, Simrill, Nanney, Hardwick, Govan, Bingham, Littlejohn, Bannister, Harrell, Hearn, G.R. Smith, Clemmons, Anderson, Limehouse, D.C. Moss, V.S. Moss, Parker, Howard, Gambrell, Allison, Horne, Sottile, Bedingfield, Long, Spires, Hamilton, T.R. Young, Delleney, J.M. Neal, Williams, Kennedy, Lowe, Stavrinakis, Knight, Crawford, Daning, Bowen, Thompson, G.A. Brown, King, Lucas, Herbkersman, Wylie, Stewart, Branham, Ott, Hayes, Battle, Miller, Harvin, H.B. Brown, Hosey, Chalk, McEachern, Hodges, Gunn, J.H. Neal, Cobb‑Hunter, Jefferson and Cato

S. Printed 4/29/10--H.

Read the first time January 12, 2010.

**THE COMMITTEE ON EDUCATION AND PUBLIC WORKS**

To whom was referred a Bill (H. 4280) to amend the Code of Laws of South Carolina, 1976, by adding Article 108 to Chapter 3, Title 56 so as to provide that the Department of Motor Vehicles may, 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 108

South Carolina Highway Patrol‑Retired License Plates

Section 56‑3‑10810. (A) The Department of Motor Vehicles may issue ‘SCHP‑Retired’ license plates for use on private passenger motor vehicles, as defined in section 56-3-630, or motorcycles registered in a person’s name in this State who served as a South Carolina Highway Patrolman or State Trooper and who honorably retired. An application for this special motor vehicle license plate must include certification from the South Carolina Highway Patrol that the applicant honorably retired.

(B) The requirements for production and distribution of the license plate are those set forth in Section 56-3-8100. The Department of Motor Vehicles shall imprint the special license plates with the insignia of the South Carolina Highway Patrol and the words ‘SCHP‑Retired’ with numbers the department may determine.

(C) Only one special license plate authorized by this section may be issued to a person. A license plate issued pursuant to this section may be transferred to another vehicle of the same weight class owned by the same person upon application being made and being approved by the Department of Motor Vehicles.

(D) Any person issued a special license plate pursuant to this section who is convicted of a crime involving dishonesty or moral turpitude shall surrender the special license plate to the Department of Motor Vehicles within three days of the date of the conviction.

(E) The provisions of this section do not affect the registration and licensing of motor vehicles required by other provisions of this chapter, but are cumulative to those other provisions.

(F) A person violating the provisions of this section or a person who:

(1) fraudulently gives false or fictitious information in any application for a special license plate authorized by this section;

(2) conceals a material fact or otherwise commits fraud in the application for a special license plate issued pursuant to this section;

(3) permits the special license plate to be displayed on any vehicle except the one authorized by the Department of Motor Vehicles; or

(4) who fails to surrender the special license plate as required by this section, is guilty of a misdemeanor and, upon conviction, must be punished by a fine of not more than two hundred dollars or by imprisonment for not more than thirty days, or both.”

SECTION 2. 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:

See Below

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

See Below

**EXPLANATION OF IMPACT:**

The Department of Motor Vehicles indicates this bill will have a one-time fiscal impact to the agency. The cost of this bill will be for the production of a special license plate. The IT cost for the plate is $5,900. As required by Section 56-3-8100, the department must charge each group of applicants for special plates a fee of $4,000 per plate. For this bill, the department will collect $4,000 for the plate and the balance of $1,900 will be the impact to the agency.

*Approved By:*

Harry Bell

Office of State Budget

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 108 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE SOUTH CAROLINA HIGHWAY PATROL‑RETIRED 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 108

South Carolina Highway Patrol-Retired License Plates

Section 56‑3‑10810. (A) The department may issue a ‘South Carolina Highway Patrol‑Retired’ special motor vehicle license plate for use on a private passenger motor vehicle or motorcycle registered in a person’s name in this State who are retired members of the South Carolina Highway Patrol. An application for this special motor vehicle license plate must include official documentation showing the applicant is a retired South Carolina Highway Patrol Trooper. Only two plates may be issued to a person.

(B) The requirements for production and distribution of the plate are those set forth in Section 56‑3‑8100. The biennial fee for this plate is the regular registration fee set forth in Article 5, Chapter 3 of this title. The Department of Motor Vehicles shall imprint on the special license plates ‘SCHP‑Retired’ the South Carolina Highway Patrol emblem, and the letters ‘HP’ along with numbers the department may determine.

(C) A license plate issued pursuant to this article may be transferred to another vehicle of the same weight class owned by the same person upon application being made and being approved by the Department of Motor Vehicles. It is unlawful for a person to whom the plate has been issued to knowingly permit it to be displayed on any vehicle except the one authorized by the department.

(D) The provisions of this article do not affect the registration and licensing of motor vehicles as required by other provisions of this chapter but are cumulative to those other provisions. A person violating the provisions of this article or a person who (1) fraudulently gives false or fictitious information in any application for a special license plate, as authorized in this article, (2) conceals a material fact, or (3) otherwise commits fraud in the application or in the use of a special license plate issued is guilty of a misdemeanor and, upon conviction, must be punished by a fine of not more than one hundred dollars or by imprisonment for not more than thirty days, or both.”

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

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