COMMITTEE REPORT

April 26, 2012

**S. 105**

Introduced by Senators Verdin, Leventis and L. Martin

S. Printed 4/26/12--H.

Read the first time March 12, 2012.

**THE COMMITTEE ON EDUCATION AND PUBLIC WORKS**

To whom was referred a Bill (S. 105) to amend the 1976 Code, by adding Article 8 to Chapter 25, Title 57, to direct the Department of Transportation to create and supervise a statewide program related to providing, 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 adding the following appropriately numbered SECTION:

/ SECTION \_\_. Article 1, Chapter 7, Title 57 of the 1976 Code, is amended by adding:

“Section 57‑7‑90. It is unlawful for any person to camp, set fires, or cook on a highway. For purposes of this section the term ‘highway’ shall mean as it is defined in Section 57‑3‑120. A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than one hundred dollars or imprisoned not more than thirty days or such other lesser disposition, penalty, or non penalty, as the court determines.” /

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:**

Department of Transportation

SCDOT indicates there is no fiscal impact from this bill. The program will be run as a separate program that requires participants pay for the costs of the signs and their installation and maintenance. SCDOT would absorb the cost of administration which they report to be minimal.

Department of Agriculture and Department of Parks, Recreation & Tourism

Both departments report that this bill will have no impact on agency operating costs. Serving on the Oversight Committee would not represent a significant cost to the agencies and the cost of the signs would be passed on to the farmers or tourist attractions. There is no impact on the state general fund or on federal and/or other funds.

*Approved By:*

Brenda Hart

Office of State Budget

**A** **BILL**

TO AMEND THE 1976 CODE, BY ADDING ARTICLE 8 TO CHAPTER 25, TITLE 57, TO DIRECT THE DEPARTMENT OF TRANSPORTATION TO CREATE AND SUPERVISE A STATEWIDE PROGRAM RELATED TO PROVIDING DIRECTIONAL SIGNS ALONG THE STATE’S MAJOR HIGHWAYS AND INTERCHANGES LEADING TO AGRITOURISM ORIENTED FACILITIES ENGAGED IN EDUCATIONAL OR AGRITOURISM ACTIVITIES.

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

SSECTION 1. Chapter 25, Title 57 of the 1976 Code is amended by adding:

“Article 8

Agritourism and Tourism Oriented Signage Program

Section 57‑25‑800. As used in this article:

‘Agritourism‑oriented facility’ means a location where an agritourism activity, as defined in Section 46‑53‑10(1), is carried out by an agritourism profession, as defined in Section 46‑45‑10(2).

‘Tourism‑oriented facility’ means those facilities approved by the oversight committee created in Section 57‑25‑820(C).

Section 57‑25‑810. In an effort to promote and assist South Carolina facilities that have an interest in educating, sharing, and selling their programs and products to the general public, the Department of Transportation is directed to create and supervise a coordinated, self‑funded, statewide program related to providing directional signs along the state’s major rural highways leading to tourism and agritourism‑oriented facilities. The statewide program shall be operated according to standards and regulations authorized to be adopted and promulgated by the Department of Transportation. The standards and regulations may provide for the use of official logos developed by the Department of Parks, Recreation and Tourism and the Department of Agriculture in compliance with the federal Manual on Uniform Traffic Control Devices. The standards and regulation may also provide for cooperative agreements between the department and private interests for the administration of the program and for the use and display of names for tourism and agritourism information signs on the highway right‑of‑way.

Section 57‑25‑820. (A) The Department of Transportation shall be responsible for the erection and maintenance of the official signs giving specific information to the traveling public providing directions to tourism and agritourism‑oriented facilities. All signs must conform to department rules and regulations regarding the size and placement of the signs and be in compliance with all federal and state regulations.

(B) The department shall coordinate with the Department of Agriculture and the Department of Parks, Recreation and Tourism, as applicable, to allow those departments to promote tourism and agritourism‑oriented facilities participating in this directional signage program.

(C) The criteria for selection of qualified agritourism facilities shall be established by the Department of Agriculture. The criteria for selection of qualified tourism facilities shall be established by the Department of Parks, Recreation and Tourism. (D) The approval of applications for signs for agritourism and tourism oriented facilities must be determined by an oversight committee. The oversight committee shall consist of the following members and shall meet at the call of the chairman semiannually to consider applications for signage:

(1) Secretary of the Department of Transportation, or his designee, serving as chairman;

(2) Director of the Department of Parks, Recreation and Tourism, or his designee;

(3) Commissioner of the Department of Agriculture, or his designee;

(4) President of the South Carolina Association of Tourism Regions (SCATR), or his designee, and a member of SCATR appointed by its president;

(5) President of the South Carolina Convention and Visitors Bureau Association (CVB), or his designee, and a member of the CVB appointed by its president.

Section 57‑25‑830. (A) Qualified facilities which elect to participate in the directional signage program must submit an application to the Department of Transportation on a form to be supplied by the department. Eligibility and approval to participate in the signage program must be determined by written criteria to be set forth by the Department of Transportation in regulation.

(B) Participating facilities are responsible for the cost of the signs and their installation and maintenance.”

SECTION 2. The Department of Agriculture and the Department of Parks, Recreation and Tourism must develop logos to be utilized for the signage authorized by this act. The logos developed may be used by those departments for other promotional purposes associated with tourism and agritourism.

SECTION 3. This act takes effect upon approval by the Governor.

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