**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1‑11‑277 SO AS TO PROVIDE A VEHICLE IN THE STATE MOTOR POOL OR OTHER STATE‑OWNED MOTOR VEHICLE USED BY A STATE AGENCY OR STATEWIDE OFFICER ONLY MAY BE OPERATED DURING THE NORMAL OPERATING HOURS OF THE AGENCY TO WHICH THE VEHICLE IS ASSIGNED UNLESS THE VEHICLE IS BEING USED TO CONDUCT AN ORDINARY FUNCTION OF THE AGENCY, TO PROVIDE A VEHICLE IN THE STATE MOTOR POOL OR OTHER MOTOR VEHICLE USED BY A STATE AGENCY MAY NOT BE USED TO TRANSPORT A STATE EMPLOYEE OR STATE OFFICIAL BETWEEN HIS RESIDENCE AND EMPLOYMENT LOCATION, AND TO PROVIDE AN EXCEPTION FOR CERTAIN LAW ENFORCEMENT AND EMERGENCY RESPONSE PERSONNEL; AND TO AMEND SECTION 1‑11‑270, RELATING TO PERMANENTLY ASSIGNED, STATE‑OWNED MOTOR VEHICLES, SO AS TO DELETE REFERENCES IMPLYING PERMISSIBILITY OF USE OF THESE VEHICLES FOR COMMUTING.

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

SECTION 1. Article 1, Chapter 11, Title 1 of the 1976 Code is amended by adding:

“Section 1‑11‑277. (A) A vehicle in the State Motor Pool or other state‑owned motor vehicle used by a state agency or statewide officer only may be operated during the normal operating hours of the agency to which the vehicle is assigned unless the vehicle is being used to conduct an ordinary function of the agency. However, no vehicle provided by the State Motor Pool or other motor vehicle used by a state agency may be used to transport a state employee or state official between his residence and employment location.

(B) The provisions of this section do not apply to a motor pool vehicle or other state‑owned vehicle assigned to a law enforcement officer or other state employee assigned a vehicle because they are in an emergency response capacity after business hours.”

SECTION 2. Section 1‑11‑270(B) of the 1976 Code is amended to read:

“(B) Law enforcement officers, as defined by the agency head, may be permanently assigned state‑owned vehicles by their respective agency head. Agency heads may assign a state‑owned vehicle to an employee when the vehicle carries or is equipped with special equipment needed to perform duties directly related to the employee’s job, and the employee is either in an emergency response capacity after normal working hours or for logistical reasons it is determined to be in the agency’s interest for the vehicle to remain with the employee. No other employee may be permanently assigned to a state‑owned vehicle, unless the assignment is cost advantageous to the State under guidelines developed by the State Fleet Manager. ~~Statewide elected officials, law enforcement officers, and those employees who have been assigned vehicles because they are in an emergency response capacity after normal working hours are exempt from reimbursing the State for commuting miles. Other employees operating a permanently assigned vehicle must reimburse the State for commuting between home and work.~~”

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

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