**A** **BILL**

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING THE DEFINITIONS OF TRANSPORTATION NETWORK COMPANY AND PARTICIPATING DRIVER TO SECTION 58‑23‑10; BY ADDING SECTION 58‑23‑120 SO AS TO PROVIDE THAT UNITS OF LOCAL GOVERNMENT MAY NOT ENACT ORDINANCES, ORDERS, OR OTHER REGULATIONS CONCERNING TRANSPORTATION NETWORK COMPANIES OR PARTICIPATING DRIVERS AND TO PROVIDE THAT LOCAL LAWS AND ORDINANCES PERTAINING TO TRANSPORTATION NETWORK COMPANIES AND PARTICIPATING DRIVERS ARE SUPERSEDED AND PREEMPTED BY STATE LAW AND STATE AGENCY REGULATIONS AND TO PROVIDE THAT ALL LOCAL LAWS AND ORDINANCES NOT RELATED DIRECTLY TO TRANSPORTATION NETWORK COMPANIES OR PARTICIPATING DRIVERS BUT APPLIED TO PREVENT THE OPERATION OF TRANSPORTATION NETWORK COMPANIES ARE PREEMPTED AND SUPERSEDED IN THEIR APPLICATION TO TRANSPORTATION NETWORK COMPANIES AND PARTICIPATING DRIVERS.

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

SECTION 1. Section 58‑23‑10 of the 1976 Code is amended by adding:

“(9) The term ‘Transportation Network Company’ means an organization, including, but not limited to, a corporation, limited liability company, partnership, sole proprietor, or any other entity, operating in South Carolina that provides prearranged transportation services for compensation using an online‑enabled application or platform to connect passengers with drivers using a personal vehicle.

(10) The term ‘participating driver’ or ‘driver’ is any person who uses a vehicle in connection with a transportation network company’s online‑enabled application or platform to connect with passengers.”

SECTION 2. Article 1, Chapter 23, Title 58 of the 1976 Code is amended by adding:

“Section 58‑23‑120. (A) Units of local government in this State may not enact ordinances, order, or other regulations concerning the operation of Transportation Network Companies and participating drivers.

(B) It is the intent of the General Assembly to occupy the field of regulation for Transportation Network Companies and participating drivers. All local laws and ordinances related to the regulation of and the enforcement of Transportation Network Companies and participating drivers are preempted and superseded by laws enacted by the General Assembly and regulations promulgated by state agencies pursuant to those laws.

(C) All local laws or ordinances not specifically relating to Transportation Network Companies and participating drivers that are applied by a local government to prevent Transportation Network Companies and participating drivers from operating are preempted and superseded in their application to Transportation Network Companies and participating drivers.”

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

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