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Indicates New Matter

COMMITTEE REPORT

April 23, 2015

**H. 3794**

Introduced by Reps. Forrester, Burns, Sottile, Spires, V.S. Moss, Gambrell, Bales, Kennedy, Tallon, Allison, Bedingfield, Daning, Henderson, Hicks, Hixon, G.R. Smith and Thayer

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Read the first time March 5, 2015.

**THE COMMITTEE ON EDUCATION AND PUBLIC WORKS**

To whom was referred a Bill (H. 3794) to amend Section 56‑1‑210, Code of Laws of South Carolina, 1976, relating to the issuance and renewal of a driver’s license, so as to delete, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass:

MERITA A. ALLISON for Committee.

**A** **BILL**

TO AMEND SECTION 56‑1‑210, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE AND RENEWAL OF A DRIVER’S LICENSE, SO AS TO DELETE THE PROVISION THAT PROVIDES THAT A FIVE YEAR DRIVER’S LICENSE MUST BE ISSUED TO A PERSON WHO IS AT LEAST SIXTY‑FIVE YEARS OF AGE WHEN HE RENEWS HIS LICENSE; AND TO AMEND SECTION 56‑1‑220, RELATING TO VISION SCREENINGS THAT ARE REQUIRED FOR A PERSON TO RENEW HIS DRIVER’S LICENSE, SO AS TO DELETE THE PROVISION THAT REQUIRES A PERSON TO SUBMIT A VISION SCREENING CERTIFICATE TO THE DEPARTMENT OF MOTOR VEHICLES DURING THE FIFTH YEAR OF A TEN YEAR DRIVER’S LICENSE, AND THE PROVISION THAT ALLOWS A PERSON WHO IS AT LEAST SIXTY‑FIVE YEARS OF AGE TO OBTAIN A DRIVER’S LICENSE THAT IS VALID FOR FIVE YEARS.

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

SECTION 1. Section 56‑1‑210 of the 1976 Code is amended to read:

“Section 56‑1‑210. (A) A license issued or renewed before October 1, 2003, expires on the licensee’s birth date on the fifth calendar year after the calendar year in which it is issued. A license issued or renewed on or after October 1, 2003, expires on the licensee’s birth date on the tenth calendar year in which it is issued. ~~When a person who is sixty‑five years of age or older renews his license, the license shall expire five years from the date it was issued.~~

(B) A license is renewable on or before its expiration date upon application and the payment of the required fee.

(C) The Department of Motor Vehicles may renew a driver’s license of a resident by mail or electronically upon payment of the required fee, if the renewal is a digitized license.

(D) A license may not be renewed until the licensee is reexamined as provided in Section 56‑1‑130, except that the licensee is not required to take the road test provided in Section 56‑1‑130; provided, further, that only the vision screening is required of those persons who have no more than five points for moving traffic violations in the two years prior to making application for renewal. For cause shown, the department may require the submission by the applicant of evidence satisfactory to the department of the applicant’s mental and physical fitness to drive and his knowledge of traffic laws and regulations. If the evidence is not satisfactory to the department, the department may require an examination of the applicant as upon an original application. Parallel parking is not required as a part of the driver’s test.

(E) If a person’s license expires and he is unable to renew it before its expiration date because he is on active military duty outside this State for a continuous period of at least thirty days immediately before the expiration date or because he is the spouse or dependent living for a continuous period of at least thirty days immediately before the expiration date with a person on active military duty outside this State, within sixty days after returning to this State, the person may renew his license in the manner permitted by this section as though the license had not expired. The department may require proof from the person that he qualifies for renewal of his license under this ~~paragraph~~ subsection. Upon request, the person shall provide the department with a copy of his military service record, a document of his branch of military service showing the date of active military duty outside the State, or other evidence presented by the person showing the dates of service.”

SECTION 2. Section 56‑1‑220 of the 1976 Code is amended to read:

“Section 56‑1‑220. (A) Vision screenings are required for all persons before having their licenses renewed by the Department of Motor Vehicles. The vision screening may be waived upon the submission of a certificate of vision examination dated within the previous twelve months from an ophthalmologist or optometrist licensed in any state.

(B) ~~During the fifth year of a ten‑year license, the licensee must submit by mail to the department a certificate from an ophthalmologist or optometrist licensed in any state or appear in person at a department office to complete a vision screening. If a licensee fails to submit a certificate or fails to appear in person, the licensee must be fined fifty dollars. The department shall waive the fine if the person completes the requirements of this section within ninety days after the end of the fifth year of a ten‑year license. This fine must be placed by the Comptroller General into a special restricted account to be used by the department to defray the expenses incurred by this section. Interest accrued by this account must remain in this account.~~

~~(C)~~ ~~A vision screening will not be required before October 1, 2008, if a licensee is less than sixty‑five years of age, his license expires on his birth date on the fifth calendar year after the calendar year in which it is issued, and his license is renewed for an additional five years by mail or electronically. If a licensee is sixty‑five years of age or older and his license expires on his birth date on the fifth calendar year after the calendar year in which it is issued, then he may renew his license by mail for an additional five years upon submission of a certificate of vision examination from an ophthalmologist or optometrist licensed in any state.~~

~~(D)~~ The renewal license forms distributed by the department must be designed to contain a certification that the vision of the person screened meets the minimum standards required by the department or have been corrected to meet these requirements. The certification must be executed by the person conducting the screening. The minimum standards of the department shall not require a greater degree of vision than 20/40 corrected in one eye.

~~(E)~~(C) A person whose vision is corrected to meet the minimum standards shall have the correction noted on his driver’s license by the department.

~~(F)~~(D) It is unlawful for a person whose vision requires correction in order to meet the minimum standards of the department to drive a motor vehicle in this State without the use of the correction.

~~(G)~~(E) Unless otherwise provided in this section, any person violating the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than one hundred dollars or imprisoned for not more than thirty days.”

SECTION 3. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

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

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