COMMITTEE REPORT

March 2, 2017

**S. 199**

Introduced by Senators Bryant, Alexander and Shealy

S. Printed 3/2/17--S.

Read the first time January 10, 2017.

**THE COMMITTEE ON TRANSPORTATION**

To whom was referred a Bill (S. 199) to amend Article 21, Chapter 5, Title 56 of the 1976 Code, relating to required stops for vehicles, by adding a new section, to allow the Department of, 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. Article 21, Chapter 5, Title 56 of the 1976 Code is amended by adding:

“Section 56-5-2774. (A) The Department of Public Safety may issue a civil penalty citation to the registered owner of a vehicle found in violation of Section 56-5-2770(A) or (C) subject to the exclusions contained in subsection (B) of this section based upon an inspection of photographs, microphotographs, videotape, or other digitally recorded images produced by a digital recording system mounted on a school bus. The department may issue a civil penalty citation:

(1) for a first offense, in an amount not to exceed two hundred fifty dollars; and

(2) for a second or subsequent offense, in an amount not to exceed five hundred dollars.

(B) The registered owner of the vehicle shall not be responsible for the civil penalty citation if, within thirty days after receiving notification of the civil penalty citation, he provides the Department of Public Safety the following information:

(1) an affidavit containing the name and address of the person or company who had care, custody, and control of the vehicle at the time of the violation; or

(2) an affidavit that states that the vehicle was stolen at the time of the violation. This affidavit must be supported by evidence that the vehicle was insured at the time of the violation and must be accompanied by a police report that confirms that the vehicle was stolen.

(C) No points contained in Section 56-1-720 shall be imposed against the driving record of the registered owner of the vehicle.

(D) A citation issued pursuant to this section shall state clearly the manner in which the citation may be challenged. The citation must be sent by first-class mail to the registered owner of the vehicle at the address provided by the Department of Motor Vehicles.”

SECTION 2. This act is repealed effective July 1, 2020.

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

Renumber sections to conform.

Amend title to conform.

LAWRENCE K. GROOMS for Committee.

**A** **BILL**

TO AMEND ARTICLE 21, CHAPTER 5, TITLE 56 OF THE 1976 CODE, RELATING TO REQUIRED STOPS FOR VEHICLES, BY ADDING A NEW SECTION, TO ALLOW THE DEPARTMENT OF PUBLIC SAFETY TO OBTAIN A CIVIL PENALTY CITATION AGAINST THE REGISTERED OWNER OF A VEHICLE VIOLATING SECTION 56-5-2770 AND TO PROVIDE A METHOD TO APPEAL THE CITATION.

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

SECTION 1. Article 21, Chapter 5, Title 56 of the 1976 Code is amended by adding:

“Section 56-5-2774. (A) The Department of Public Safety may issue a civil penalty citation to the registered owner of a vehicle found in violation of Section 56-5-2770(A) or (C). The first civil penalty citation shall not exceed two hundred and fifty dollars, and each subsequent civil penalty citation may not exceed five hundred dollars.

(B) The registered owner of the vehicle shall not be responsible for the civil penalty citation if, within thirty days after receiving notification of the civil penalty citation, he provides the magistrate court in the county where the violation of Section 56-5-2770 occurred with the following information:

(1) an affidavit containing the name and address of the person or company who had care, custody, and control of the vehicle at the time of the violation; or

(2) an affidavit that states that the vehicle was stolen at the time of the violation. This affidavit must be supported by evidence that the vehicle was insured at the time of the violation and must be accompanied by a police report that confirms that the vehicle was stolen.

(C) No points contained in Section 56-1-720 shall be imposed against the driving record of the registered owner of the vehicle.

(D) A citation issued pursuant to this section shall state clearly the manner in which the citation may be challenged. The citation must be sent by first-class mail to the registered owner of the vehicle at the address provided by the Department of Motor Vehicles.”

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

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