COMMITTEE REPORT

March 2, 2017

**H. 3256**

Introduced by Reps. Jefferson and Daning

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

Read the first time January 10, 2017.

**THE COMMITTEE ON EDUCATION AND PUBLIC WORKS**

To whom was referred a Bill (H. 3256) to amend the Code of Laws of South Carolina, 1976, by adding Article 140 to Chapter 3, Title 56 so as to provide that the Department of Motor Vehicles may, etc., respectfully

**REPORT:**

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

MERITA A. ALLISON for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

**Explanation of Fiscal Impact**

**Introduced on January 10, 2017**

**State Expenditure**

This bill authorizes the Department of Motor Vehicles (DMV) to issue Palmetto Cross Medal special license plates. DMV may issue no more than three permanent special motor vehicle license plates to a recipient of the Palmetto Cross Medal. There is no fee for the issuance of up to two license plates. The fee for the third plate is the regular vehicle registration fee plus a special motor vehicle license fee of $30. DMV is no longer allowed to retain expenses associated with the production and administration of special license plates. The actual increase in expenses of DMV is undetermined because data is unavailable from which to make a projection of how many of the Palmetto Cross Medal special license plates may be requested.

**State Revenue**

This bill authorizes DMV to issue Palmetto Cross Medal special license plates. DMV may issue no more than three permanent special motor vehicle license plates to a recipient of the Palmetto Cross Medal. There is no fee for the issuance of up to two license plates. The fee for the third plate is the regular vehicle registration fee plus a special motor vehicle license fee of $30. The application for a Palmetto Cross Medal special license plate must include proof the applicant is a recipient of the Palmetto Cross Medal. The bill also creates a new offense and provides penalties associated with violations associated with the provisions of special license plates. DMV indicates that since this bill does not reference Section 56-3-8100, the $6,800 that is normally provided upfront to DMV from the organization requesting the special license plate does not apply to this bill. The costs to produce the Palmetto Cross Medal plate are directed to the State Highway fund. Since this is a new plate, other fund deposited into the State Highway Fund would increase by the cost of producing the plate. Additionally, the $30 special vehicle registration fee for the third plate will be allocated to the general fund. The actual increase in other fund revenue to the State Highway Fund and the increase in revenue to the general fund is undetermined because data is unavailable from which to make a projection of how many recipients of the Palmetto Cross Medal may request this special license plate. Since this bill creates a new offense, data is not available to estimate the increase in revenue associated with fines for the offense. However, any revenue resulting from the fines associated with the new offense is expected to be minimal.

**Local Expenditure**

This bill provides that any person who fraudulently gives false information in any application for a special license plate, conceals a material fact, or otherwise commits a fraud in any application or in the use of any special license plate issued is guilty of a misdemeanor. Upon conviction, the individual must be punished by a fine of no more than $100 or imprisonment for no more than thirty days. Since this bill creates a new criminal offense, data is not available to project a change in law enforcement activity or detention in local facilities. However, any increase in expenses resulting specifically from this bill is expected to be minimal and would be managed within existing resources.

**Local Revenue**

This bill provides that any person who fraudulently gives false information in any application for a special license plate, conceals a material fact, or otherwise commits a fraud in any application or in the use of any special license plate issued is guilty of a misdemeanor. Upon conviction, the individual must be punished by a fine of no more than $100 or imprisonment for no more than thirty days. Since the bill creates a new misdemeanor, data is not available to project an increase in local revenue derived from fines imposed due to violations of the provisions of the bill. However, any increase in revenue is expected to be minimal. Existing law provides for the retention of part or all of the revenue generated from fines, assessments, and surcharges by the local jurisdiction processing the case.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 140 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE PALMETTO CROSS SPECIAL LICENSE PLATES.

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

SECTION 1. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“Article 140

Palmetto Cross Special License Plates

Section 56‑3‑14010. The department may issue no more than three permanent special motor vehicle license plates to a recipient of the Palmetto Cross Medal for use on his private passenger motor vehicles, as defined in Section 56‑3‑630, or motorcycles as defined in Section 56‑3‑20, registered in his name. There is no fee for the issuance of up to two license plates, and not more than three license plates may be issued to a person. The fee for the third plate is the regular motor vehicle registration fee contained in Article 5, Chapter 3 of this title and a special motor vehicle license fee of thirty dollars. The application for a special license plate must include proof the applicant is a recipient of the Palmetto Cross Medal.

Section 56‑3‑14020. (A) The special license plates must be of the same size as regular motor vehicle license plates, upon which must be imprinted on the left side of the plates the distinctive Palmetto Cross Medal insignia with numbers and designs determined by the Department of Motor Vehicles.

(B) If a person who qualifies for the special license plate issued under this article also qualifies for the handicapped license plate issued pursuant to Section 56‑3‑1960(1), then the license plate issued pursuant to this section also shall include the distinguishing symbol used on license plates issued pursuant to Section 56‑3‑1960(1).

Section 56‑3‑14030. A license plate issued pursuant to this article may be transferred to another vehicle of the same weight class owned by the same person upon application being made and approved by the Department of Motor Vehicles. It is unlawful for any person to whom the special plate has been issued to knowingly permit it to be displayed on any vehicle except the one authorized by the department.

Section 56‑3‑14040. The provisions of this article do not affect the registration and licensing of motor vehicles as required by other provisions of this chapter but are cumulative to them. Any person violating the provisions of this article or any person who fraudulently gives false or fictitious information in any application for a special license plate, as authorized in this article, conceals a material fact, or otherwise commits a fraud in any application or in the use of any special license plate issued is guilty of a misdemeanor and, upon conviction, must be punished by a fine of not more than one hundred dollars or by imprisonment for not more than thirty days.”

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

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