~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

January 26, 2017

**H. 3289**

Introduced by Reps. G.R. Smith and Knight

S. Printed 1/26/17--H. [SEC 1/30/17 3:43 PM]

Read the first time January 10, 2017.

**THE COMMITTEE ON EDUCATION AND PUBLIC WORKS**

To whom was referred a Bill (H. 3289) to amend Section 56-5-1930, Code of Laws of South Carolina, 1976, relating to the distance that must be maintained between vehicles traveling along a highway, 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. Section 56‑5‑1930 of the 1976 Code is amended to read:

“Section 56‑5‑1930. ~~(~~~~a)~~(A) The ~~driver~~ operator of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicles and the traffic upon and the condition of the highway.

~~(b)~~(B) The ~~driver~~ operator of any truck or motor vehicle drawing another vehicle when traveling upon a roadway outside of a business or residence district and which is following another truck or motor vehicle drawing another vehicle shall, whenever conditions permit, leave sufficient space so that an overtaking vehicle may enter and occupy such space without danger, except that this shall not prevent a truck or motor vehicle drawing another vehicle from overtaking and passing any vehicle or combination of vehicles.

~~(c)~~(C) Motor vehicles being ~~driven~~ operated upon any roadway outside of a business or residence district in a caravan or motorcade whether or not towing other vehicles shall be so operated as to allow sufficient space between each such vehicle or combination of vehicles so as to enable any other vehicle to enter and occupy such space without danger. This provision shall not apply to funeral processions.

(D) This section does not apply to the operator of any non leading vehicle traveling in a procession of vehicles if the speed of each vehicle is automatically coordinated.”

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

Renumber sections to conform.

Amend title to conform.

MERITA A. ALLISON for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

**Explanation of Fiscal Impact**

**Introduced on January 10, 2017**

**State Expenditure**

This bill relates to the distance that must be maintained between vehicles by drivers of trucks or motor vehicles traveling along a highway. The bill establishes that the existing distance requirements do not apply to an operator of any non-leading vehicle travelling in a procession of vehicles when the speed of each vehicle is automatically coordinated.

**Department of Public Safety.** The department reports that there will be no expenditure impact from the bill, as the bill only adds an exception to the safe distance driving laws for non-leading vehicles travelling as part of a procession.

**State Revenue**

Any reduction in state revenue that would have been generated from convictions under the existing law is expected to be insignificant, because of the low incidence of violations in the specific circumstances covered by the bill.

**Local Expenditure**

Creating an exception to safe following distance statutes is not expected to significantly affect the level of local law enforcement activity, and, therefore, local expenditures.

**Local Revenue**

Any reduction in local revenue that would have been generated from convictions for violations of safe following distance is expected to be insignificant, because of the low incidence of violations in the specific circumstances covered by the bill.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

**A** **BILL**

TO AMEND SECTION 56‑5‑1930, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DISTANCE THAT MUST BE MAINTAINED BETWEEN VEHICLES TRAVELING ALONG A HIGHWAY, SO AS TO PROVIDE THAT THIS SECTION DOES NOT APPLY TO THE OPERATOR OF ANY NON‑LEADING VEHICLE TRAVELING IN A PROCESSION OF VEHICLES IF THE SPEED OF EACH VEHICLE IS AUTOMATICALLY COORDINATED.

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

SECTION 1. Section 56‑5‑1930 of the 1976 Code is amended to read:

“Section 56‑5‑1939. ~~(a)~~(A) The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicles and the traffic upon and the condition of the highway.

~~(b)~~(B) The driver of any truck or motor vehicle drawing another vehicle when traveling upon a roadway outside of a business or residence district and which is following another truck or motor vehicle drawing another vehicle shall, whenever conditions permit, leave sufficient space so that an overtaking vehicle may enter and occupy such space without danger, except that this shall not prevent a truck or motor vehicle drawing another vehicle from overtaking and passing any vehicle or combination of vehicles.

~~(c)~~(C) Motor vehicles being driven upon any roadway outside of a business or residence district in a caravan or motorcade whether or not towing other vehicles shall be so operated as to allow sufficient space between each such vehicle or combination of vehicles so as to enable any other vehicle to enter and occupy such space without danger. This provision shall not apply to funeral processions.

(D) This section does not apply to the operator of any non leading vehicle traveling in a procession of vehicles if the speed of each vehicle is automatically coordinated.”

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

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