**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56‑5‑100 SO AS TO PROVIDE A DEFINITION FOR THE TERM “MOTOR CARRIER SAFETY IMPROVEMENT” AND TO PROVIDE THE DEPLOYMENT, IMPLEMENTATION, OR USE OF CERTAIN MOTOR CARRIER SAFETY IMPROVEMENTS SHALL NOT BE CONSIDERED WHEN EVALUATING AN INDIVIDUAL’S STATUS AS AN EMPLOYEE, JOINT EMPLOYEE, OR INDEPENDENT CONTRACT UNDER STATE LAW.

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

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

“Section 56‑5‑100. (A) For the purposes of this section, ‘motor carrier safety improvement’ means any device, equipment, software, technology, procedure, training, policy, program, or operational practice intended and primarily used to facilitate or improve:

(1) the safety of a motor carrier or commercial motor vehicle, as defined in Section 12‑37‑2810;

(2) compliance with traffic safety laws relating to a motor carrier or commercial motor vehicle; or

(3) the safety of third‑party users of public roads.

(B) The deployment, implementation, or use of a motor carrier safety improvement by or as required by a motor carrier or its related entity, including by contract, shall not be considered when evaluating an individual’s status as an employee, joint employee, or independent contractor under any state law.”

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

‑‑‑‑XX‑‑‑‑