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Indicates New Matter

AMENDED

March 27, 2019

**H. 3789**

Introduced by Reps. Willis, Allison, Bennett, Elliott, Brown, Erickson, Bradley, Huggins, Forrest, Taylor and R. Williams

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Read the first time January 29, 2019.

**A** **BILL**

TO AMEND SECTIONS 56‑1‑35, 56‑1‑40, 56‑1‑140, 56‑1‑210, 56‑1‑2100, AND 56‑1‑3350, RELATING TO THE ISSUANCE, RENEWAL, AND EXPIRATION OF A DRIVER’S LICENSE, BEGINNER’S PERMIT, COMMERCIAL DRIVER LICENSE, AND SPECIAL IDENTIFICATION CARD, AND THE PLACEMENT OF A VETERAN DESIGNATION ON A DRIVER’S LICENSE OR SPECIAL IDENTIFICATION CARD, SO AS TO REVISE THE PERIOD IN WHICH A DRIVER’S LICENSE AND CERTAIN COMMERCIAL DRIVER LICENSES ARE VALID, TO REVISE THE FEE TO OBTAIN A DRIVER’S LICENSE, CERTAIN COMMERCIAL DRIVER LICENSES, AND SPECIAL IDENTIFICATION CARDS, TO REVISE THE DOCUMENTS THAT MUST BE PROVIDED TO THE DEPARTMENT OF MOTOR VEHICLES TO OBTAIN A VETERAN DESIGNATION ON A DRIVER’S LICENSE OR A SPECIAL IDENTIFICATION CARD, TO MAKE TECHNICAL CHANGES, AND TO PROVIDE THAT A PERSON IS PERMITTED TO ONLY HAVE ONE DRIVER’S LICENSE OR IDENTIFICATION CARD.

Amend Title To Conform

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

SECTION 1. Section 56‑1‑35 of the 1976 Code is amended to read:

“Section 56‑1‑35. A member of the armed services of the United States ~~and his dependents, who become~~ or his dependent who becomes a permanent ~~residents~~ resident of this State, ~~have~~ has ninety days to apply for a South Carolina driver’s license, and ~~they~~ he must be issued a license without examination except for the visual test required by Section 56‑1‑210 if ~~they have~~ he has a valid driver’s license from another state or territory of the United States~~, or the District of Columbia~~. The license expires ~~on the licensee’s birth date which occurs within the fourth calendar year in which the license is issued~~ eight years from the date of issue.”

SECTION 2. Section 56‑1‑40(7) of the 1976 Code is amended to read:

“(7) who is not a resident of South Carolina. For purposes of determining eligibility to obtain or renew a South Carolina driver’s license, the term ‘resident of South Carolina’ shall expressly include all persons authorized by the United States Department of Justice, the United States Immigration and Naturalization Service, or the United States Department of State to live, work, or study in the United States on a temporary or permanent basis who present documents indicating their intent to live, work, or study in South Carolina. These persons and their dependents are eligible to obtain a motor vehicle driver’s license or have one renewed pursuant to this provision. A driver’s license issued pursuant to this item to a person who is not a lawful permanent resident of the United States shall expire on the later of: (1) the expiration date of the driver’s license applicant’s authorized period of stay in the United States; or (2) the expiration date of the driver’s license applicant’s employment authorization document. However, ~~in no event shall~~ a driver’s license issued pursuant to this item ~~expire less than~~ is valid for at least one year ~~or~~ but not more than ~~five~~ eight years from the date of its issue. Under this provision, a driver’s license valid for not more than four years must be issued upon payment of a fee of twelve dollars and fifty cents. A driver’s license that is valid for more than four years must be issued upon payment of a fee of twenty‑five dollars. In addition, a person pending adjustment of status who presents appropriate documentation to the Department of Motor Vehicles shall be granted a one‑year extension of his driver’s license which is renewable annually;”

SECTION 3. Section 56‑1‑140 of the 1976 Code is amended to read:

“Section 56‑1‑140. (A) Upon payment of a fee of twenty‑five dollars for a license that is valid for eight years, the department shall issue to every qualified applicant a driver’s license as applied for by law. The license must bear on it a distinguishing number assigned to the licensee, the full name, date of birth, residence address, a brief description and laminated colored photograph of the licensee, any marking otherwise required or in compliance with law, and a facsimile of the signature of the licensee. No license is valid until it has been so signed by the licensee. The license authorizes the licensee to operate only those classifications of vehicles as indicated on the license.

(B) An applicant for a new, renewed, or replacement driver’s license may apply to the department to obtain a veteran designation on the front of his driver’s license by providing a:

(1) United States Department of Defense discharge certificate, also known as a DD Form 214, ~~Form 4,~~ that shows a characterization of service, or discharge status of ‘honorable’ or ‘general under honorable conditions’ and establishes the person’s qualifying military service in the United States armed forces;

(2) National Guard Report of Separation and Record of Service, also known as an NGB Form 22, that shows a characterization of service, or discharge status of ‘honorable’ or ‘general under honorable conditions’ and establishes the person’s qualifying military service of at least twenty years in the National Guard; or

(3) Veterans Identification Card (VIC) or a letter from a Military Reserve component notifying the recipient of the person’s eligibility for retirement pay at age sixty (twenty‑year letter). A Veterans Health Identification Card (VHIC) may not be accepted.

(C) The department may determine the appropriate form of the veteran designation on the driver’s license authorized pursuant to this section.

~~(C)~~(D) The fees collected pursuant to this section must be credited to the Department of Transportation State Non‑Federal Aid Highway Fund.”

SECTION 4. Section 56‑1‑210(A) of the 1976 Code is amended to read:

“(A) A license ~~issued or renewed on or after October 1, 2017,~~ expires eight years from the date of issue ~~on the licensee’s birth date on the eighth calendar year in which it is issued~~.”

SECTION 5. Section 56‑1‑2100(E) of the 1976 Code is amended to read:

“(E) Upon payment of a fee of twenty‑five dollars and any fee assessed by any associated federal agency, a commercial driver license for which there is no associated HAZMAT endorsement issued by the department expires eight years from the date of issue ~~on the licensee’s birth date on the fifth calendar year after the calendar year in which it is issued.~~ Upon payment of a fee of fifteen dollars and any fee assessed by any associated federal agency, a commercial driver license for which there is an associated HAZMAT endorsement issued by the department expires five years from the date the applicant passed the Transportation Security Administration threat assessment.”

SECTION 6. Section 56‑1‑3350(B), (C) and (D) of the 1976 Code is amended to read:

“(B) An applicant for a new, renewed, or replacement South Carolina ~~driver’s license~~ identification card may apply to the Department of Motor Vehicles to obtain a veteran designation on the front of his ~~driver’s license~~ identification card by providing a:

(1) United States Department of Defense discharge certificate, also known as a DD Form 214, that shows a characterization of service, or discharge status of ‘honorable’ or ‘general under honorable conditions’ and establishes the person’s qualifying military service in the United States Armed Forces; ~~and~~

(2) ~~payment of a one dollar fee that must be collected by the department and placed by the Comptroller General into the State Highway Fund as established by Section 57‑11‑20, to be distributed as provided in Section 11‑43‑167~~ National Guard Report of Separation and Record of Service, also known as an NGB Form 22, that shows a characterization of service, or discharge status of ‘honorable’ or ‘general under honorable conditions’ and establishes the person’s qualifying military service of at least twenty years in the National Guard; or

(3) Veterans Identification Card (VIC) or a letter from a Military Reserve component notifying the recipient of the person’s eligibility for retirement pay at age sixty (twenty‑year letter). A Veterans Health Identification Card (VHIC) may not be accepted.

(C)(1) The fee for the issuance of the special identification card is ~~five~~ fifteen dollars for a person between the ages of five and sixteen years.

(2) ~~An~~ One identification card must be issued free to a person aged seventeen years or older per issuance cycle. A ten‑dollar fee must be charged to replace a special identification card before its expiration date.

(D) The identification card expires ~~five~~ eight years from the date of issuance. A person is not permitted to have more than one valid motor vehicle driver’s license or identification card at any time.”

SECTION 7. Section 56-1-2080 of the 1976 Code is amended to read:

“(3) The commercial driver instruction permit may not be issued for longer than ~~six months~~ one year. ~~Only one renewal or reissuance may be granted within a two‑year period.~~”

SECTION 8. This act takes effect six months after approval by the Governor.

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