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Indicates New Matter

AMENDED--NOT PRINTED IN THE HOUSE

Amt. No. 1 (4835C002.GT.CM20)

March 4, 2020

**H. 4835**

Introduced by Reps. West, G.M. Smith, Simrill, Thayer, Cogswell, Sottile, Hewitt, Bales, Hardee, Caskey, Chellis, Finlay, Kimmons, Murphy and Wooten

S. Printed 2/27/20--H.

Read the first time January 14, 2020.

**A** **BILL**

TO AMEND SECTION 56‑5‑1810, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIRING A MOTOR VEHICLE TO BE DRIVEN UPON THE RIGHT HALF OF A ROADWAY, SO AS TO PROVIDE RESTRICTIONS ON DRIVING A MOTOR VEHICLE ON A ROADWAY HAVING AT LEAST TWO LANES ALLOWING MOVEMENT IN THE SAME DIRECTION, PROVIDE A PENALTY, AND DIRECT THE DEPARTMENT OF TRANSPORTATION TO PLACE SIGNS ALONG THE INTERSTATE HIGHWAYS DIRECTING SLOWER TRAFFIC TO MOVE RIGHT; AND TO AMEND SECTION 56‑1‑720, RELATING TO POINTS ASSESSED AGAINST A PERSON’S MOTOR VEHICLE RECORD FOR COMMITTING CERTAIN OPERATING VIOLATIONS, SO AS TO PROVIDE IMPROPER DRIVING IN A LEFT LANE IS A TWO‑POINT VIOLATION.

Amend Title To Conform

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

SECTION 1. Section 56‑5‑1810 of the 1976 Code is amended by adding the following appropriately lettered subsections at the end to read:

“( ) On any controlled access roadway having two or more lanes allowing movement in the same direction, a driver may not continue to operate a motor vehicle in the furthermost left‑hand lane if the driver knows or reasonably should know that he is being overtaken in that lane from the rear by a motor vehicle traveling at a higher rate of speed. This subsection does not apply to a driver operating a vehicle that is overtaking another vehicle proceeding in the same direction, or when a driver of a tractor-trailer commercial motor vehicle combination is unable to move into the right lane safely due to other vehicles overtaking or passing his vehicle on the right, or when a driver of a vehicle requiring a commercial drivers license is unable to move into the right lane safely due to a highway grade or other vehicles overtaking or passing his vehicle on the right.

( ) A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be punished by a fine of two hundred dollars or by imprisonment for not more than thirty days, and assessed two points against his motor vehicle operating record as provided in Section 56‑1‑720, except that a driver of a vehicle requiring a commercial drivers license may not be fined more than fifty dollars and no points may be assessed against his driving record for failing to comply with this section.

( ) The Department of Transportation must place signs along the interstate highways directing slower traffic to move right. These signs must be placed at intervals of no greater than every thirty‑five miles.”

SECTION 2. Section 56‑1‑720 of the 1976 Code is amended to read:

“Section 56‑1‑720. There is established a point system for the evaluation of the operating record of persons to whom a license to operate motor vehicles has been granted and for the determination of the continuing qualifications of these persons for the privileges granted by the license to operate motor vehicles. The system shall have as its basic element a graduated scale of points assigning relative values to the various violations in accordance with the following schedule:

VIOLATION POINTS

Reckless driving 6

Passing stopped school bus 6

Hit‑and‑run, property damages only 6

Driving too fast for conditions, or speeding:

(1) No more than 10 m.p.h. above the posted limits 2

(2) More than 10 m.p.h. but less than 25

m.p.h. above the posted limits 4

(3) 25 m.p.h. or above the posted limits 6

Disobedience of any official traffic control device 4

Disobedience to officer directing traffic 4

Failing to yield right‑of‑way 4

Driving on wrong side of road 4

Passing unlawfully 4

Turning unlawfully 4

Driving through or within safety zone 4

Shifting lanes without safety precaution 2

Improper dangerous parking 2

Following too closely 4

Failing to dim lights 2

Operating with improper lights 2

Operating with improper brakes 4

Operating a vehicle in unsafe condition 2

Driving in improper lane 2

Improper backing 2

Endangerment of a highway worker, no injury 2

Endangerment of a highway worker, injury results 4

Improper driving in left lane 2”

SECTION 3. This act takes effect one hundred eighty days after approval by the Governor.

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