**South Carolina General Assembly**

124th Session, 2021-2022

**A217, R245, H3037**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Garvin, Robinson, Cobb‑Hunter, Hosey, J.L. Johnson, Matthews, S. Williams, Rivers, Jefferson, R. Williams, Govan and King

Document Path: l:\council\bills\gt\5849cm21.docx

Companion/Similar bill(s): 575

Introduced in the House on January 12, 2021

Introduced in the Senate on April 7, 2021

Last Amended on May 10, 2022

Passed by the General Assembly on May 12, 2022

Governor's Action: May 23, 2022, Signed

Summary: Vehicle registration, private passenger-carrying vehicle

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 12/9/2020 House Prefiled

 12/9/2020 House Referred to Committee on **Education and Public Works**

 1/12/2021 House Introduced and read first time ([House Journal‑page 44](file:///h%3A%5Chj%5C20210112.docx))

 1/12/2021 House Referred to Committee on **Education and Public Works** ([House Journal‑page 44](file:///h%3A%5Chj%5C20210112.docx))

 1/14/2021 House Member(s) request name added as sponsor: J.L.Johnson

 2/23/2021 House Member(s) request name added as sponsor: Matthews

 3/17/2021 House Committee report: Favorable with amendment **Education and Public Works** ([House Journal‑page 3](file:///h%3A%5Chj%5C20210317.docx))

 3/18/2021 House Member(s) request name added as sponsor: S.Williams

 3/24/2021 House Member(s) request name added as sponsor: Rivers, Jefferson, R.Williams

 4/6/2021 House Member(s) request name added as sponsor: Govan, King

 4/6/2021 House Amended ([House Journal‑page 30](file:///h%3A%5Chj%5C20210406.docx))

 4/6/2021 House Read second time ([House Journal‑page 30](file:///h%3A%5Chj%5C20210406.docx))

 4/6/2021 House Roll call Yeas‑115 Nays‑0 ([House Journal‑page 32](file:///h%3A%5Chj%5C20210406.docx))

 4/7/2021 House Read third time and sent to Senate ([House Journal‑page 9](file:///h%3A%5Chj%5C20210407.docx))

 4/7/2021 Senate Introduced and read first time ([Senate Journal‑page 4](file:///h%3A%5Csj%5C20210407.docx))

 4/7/2021 Senate Referred to Committee on **Transportation** ([Senate Journal‑page 4](file:///h%3A%5Csj%5C20210407.docx))

 3/17/2022 Senate Committee report: Favorable with amendment **Transportation** ([Senate Journal‑page 6](file:///h%3A%5Csj%5C20220317.docx))

 3/21/2022 Scrivener's error corrected

 3/23/2022 Senate Committee Amendment Adopted ([Senate Journal‑page 19](file:///h%3A%5Csj%5C20220323.docx))

 3/24/2022 Senate Amended ([Senate Journal‑page 26](file:///h%3A%5Csj%5C20220324.docx))

 4/20/2022 Senate Read second time ([Senate Journal‑page 26](file:///h%3A%5Csj%5C20220420.docx))

 4/20/2022 Senate Roll call Ayes‑44 Nays‑0 ([Senate Journal‑page 26](file:///h%3A%5Csj%5C20220420.docx))

 5/10/2022 Senate Amended ([Senate Journal‑page 32](file:///h%3A%5Csj%5C20220510.docx))

 5/11/2022 Senate Read third time and returned to House with amendments ([Senate Journal‑page 7](file:///h%3A%5Csj%5C20220511.docx))

 5/12/2022 House Concurred in Senate amendment and enrolled ([House Journal‑page 83](file:///h%3A%5Chj%5C20220512.docx))

 5/12/2022 House Roll call Yeas‑100 Nays‑0 ([House Journal‑page 83](file:///h%3A%5Chj%5C20220512.docx))

 5/18/2022 Ratified R 245

 5/23/2022 Signed By Governor

 6/1/2022 Effective date See Act for Effective Date

 6/1/2022 Act No.  217

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**VERSIONS OF THIS BILL**

[12/9/2020](file:///p%3A%5Cpprever%5C2021-22%5C3037_20201209.docx)

[3/17/2021](file:///p%3A%5Cpprever%5C2021-22%5C3037_20210317.docx)

[4/6/2021](file:///p%3A%5Cpprever%5C2021-22%5C3037_20210406.docx)

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[5/10/2022](file:///p%3A%5Cpprever%5C2021-22%5C3037_20220510.docx)

(A217, R245, H3037)

**AN ACT TO AMEND SECTION 56‑1‑80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO APPLICATIONS FOR DRIVERS’ LICENSES AND PERMITS, SO AS TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MUST PROVIDE A FORM THAT ALLOWS APPLICANTS TO VOLUNTARILY DISCLOSE PERMANENT MEDICAL CONDITIONS, TO PROVIDE FOR A LIMITED NUMBER OF PERMANENT MEDICAL CONDITIONS THAT MAY BE CONTAINED IN MOTOR VEHICLE DRIVERS’ RECORDS, AND TO REVISE THE LIST OF PERSONS WHO MAY ACCESS MEDICAL INFORMATION CONTAINED IN DRIVERS’ RECORDS, TO AMEND SECTION 56‑1‑3350, AS AMENDED, RELATING TO APPLICATIONS FOR SPECIAL IDENTIFICATION CARDS, SO AS TO MAKE TECHNICAL CHANGES, TO PROVIDE APPLICANTS MAY OBTAIN SPECIAL IDENTIFICATION CARDS THAT INDICATE THEY HAVE VOLUNTARILY DISCLOSED PERMANENT MEDICAL CONDITIONS, AND PROVIDE FOR LIMITED DISCLOSURE OF THIS INFORMATION.**

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

**Driver’s license application**

SECTION 1. Section 56‑1‑80(A) and (B) of the 1976 Code is amended to read:

 “(A) An application for a driver’s license or permit must:

 (1) be made upon the form furnished by the department;

 (2) be accompanied by the proper fee and acceptable proof of date and place of birth;

 (3) contain the full name, date of birth, sex, race, and residence address of the applicant and briefly describe the applicant;

 (4) state whether the applicant has been licensed as an operator or chauffeur and, if so, when and by what state or country;

 (5) state whether a license or permit has been suspended or revoked or whether an application has been refused and, if so, the date of and reason for the suspension, revocation, or refusal;

 (6) allow an applicant voluntarily to disclose a permanent medical condition, provided that the disclosure is made on a form prescribed by the department and includes a certification from a physician licensed in this State, as defined in Chapter 47, Title 40 that affirms the existence of the medical condition. The medical condition must be indicated by a symbol designated by the department on the driver’s license and contained in the driver’s record. The motor vehicle record of a driver may not contain more than three permanent medical conditions unless item (8) applies;

 (7) allow an applicant voluntarily to disclose that he is an organ and tissue donor, which must be indicated by a symbol designated by the department on the driver’s license and contained in the driver’s record;

 (8) allow an applicant voluntarily to disclose that he is autistic, which must be indicated by a symbol designated by the department on the driver’s license and contained in the driver’s record. The applicant must provide documentation that he is autistic from a physician licensed in this State, as defined in Section 40‑47‑20(35); and

 (9) include a statement that certain driver’s license and driver’s record information may be released, upon request, pursuant to subsection (B).

 (B)(1) The information contained on a driver’s license and in the driver’s department records pertaining to a person’s permanent medical condition, as provided for in subsection (A)(6) or subsection (A)(8), must be made available, upon request only to:

 (a) law enforcement, emergency medical services, and hospital personnel;

 (b) the medical advisory board pursuant to Section 56‑1‑221;

 (c) permitted entities pursuant to the Driver Privacy Protection Act, 18 U.S.C.A. 2721; and

 (d) the person to whom the records of the permanent medical condition applies.

 (2) The information contained on a driver’s license and in the driver’s department records pertaining to a person’s organ and tissue donor status, as provided for in subsection (A)(7), must be made available, upon request only to:

 (a) law enforcement, emergency medical services, and hospital personnel; and

 (b) the South Carolina Donor Referral Network, as provided for in Section 44‑43‑910.

 (3) The information contained on a driver’s license and in the driver’s department records pertaining to a person’s permanent medical condition, as provided for in subsection (A)(6) or subsection (A)(8), and pertaining to a person’s organ and tissue donor status, as provided for in subsection (A)(7), may not be sold and is exempt from disclosure pursuant to Chapter 4, Title 30, the South Carolina Freedom of Information Act.”

**Special identification card application**

SECTION 2. Section 56‑1‑3350(A) of the 1976 Code is amended to read:

 “(A) Upon application by a person five years of age or older, who is a resident of South Carolina, the department shall issue a special identification card provided that the:

 (1) application is made on a form approved and furnished by the department;

 (2) applicant presents to the person issuing the identification card a birth certificate or other evidence acceptable to the department of his name and date of birth;

 (3) applicant, who wishes to obtain a special identification card that indicates the applicant is autistic, complies with subsection (A)(1) and (2) and provides documentation that he is autistic from a physician licensed in this State, as defined in Chapter 47, Title 40. The special identification requested must be indicated by a symbol designated by the department on the person’s special identification card; and

 (4) applicant, who wishes to obtain a special identification card that indicates the applicant has voluntarily disclosed a permanent medical condition, complies with subsection (A)(1) and (2), and provides documentation of the medical condition from a physician licensed in this State, as defined in Chapter 47, Title 40. The record of an identification card holder may not contain more than three permanent medical conditions unless subsection (A)(3) applies. The information contained on a special identification card and in the special identification card holder’s department records pertaining to his autism, as provided for in item (3), or his permanent medical condition, as provided for in this item, may not be sold, is exempt from disclosure pursuant to Chapter 4, Title 30, the South Carolina Freedom of Information Act, and may be released upon request only to:

 (a) law enforcement, emergency medical services, and hospital personnel;

 (b) the medical advisory board pursuant to Section 56‑1‑221;

 (c) permitted entities pursuant to the Driver Privacy Protection Act, 18 U.S.C.A. 2721; and

 (d) the person to whom the records of the permanent medical condition applies.”

**Time effective**

SECTION 3. (A) SECTION 1 takes effect July 1, 2022.

 (B) SECTION 2 takes effect one year after the approval by the Governor.

Ratified the 18th day of May, 2022.

Approved the 23rd day of May, 2022.

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