**South Carolina General Assembly**

124th Session, 2021-2022

**H. 3093**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. W. Cox, Bryant, Haddon and J.L. Johnson

Document Path: l:\council\bills\gt\5927cm21.docx

Companion/Similar bill(s): 5040

Introduced in the House on January 12, 2021

Currently residing in the House Committee on **Judiciary**

Summary: Unlawful use of wireless device while driving

**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 **Judiciary**

1/12/2021 House Introduced and read first time ([House Journal‑page 68](file:///h:\hj\20210112.docx))

1/12/2021 House Referred to Committee on **Judiciary** ([House Journal‑page 68](file:///h:\hj\20210112.docx))

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

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**VERSIONS OF THIS BILL**

[12/9/2020](file:///p:\pprever\2021-22\3093_20201209.docx)

**A** **BILL**

TO AMEND SECTION 56‑5‑3890, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNLAWFUL USE OF WIRELESS ELECTRONIC COMMUNICATIONS DEVICES WHILE OPERATING MOTOR VEHICLES, SO AS TO INCREASE THE PENALTY FOR A VIOLATION.

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

SECTION 1. Section 56‑5‑3890(D)(1) of the 1976 Code is amended to read:

“(1) A person who is adjudicated to be in violation of the provisions of this section must be fined not more than ~~twenty‑five~~ two hundred dollars, no part of which may be suspended. No court costs, assessments, or surcharges may be assessed against a person who violates a provision of this section. A person must not be fined more than ~~fifty~~ two hundred dollars for any one incident of one or more violations of the provisions of this section. A custodial arrest for a violation of this section must not be made, except upon a warrant issued for failure to appear in court when summoned or for failure to pay an imposed fine. A violation of this section does not constitute a criminal offense. Notwithstanding Section 56‑1‑640, a violation of this section must not be:

(a) included in the offender’s motor vehicle records maintained by the Department of Motor Vehicles or in the criminal records maintained by SLED; or

(b) reported to the offender’s motor vehicle insurer.”

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

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