**South Carolina General Assembly**

125th Session, 2023-2024

**S. 304**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Turner, Climer, Verdin, Kimbrell and Cromer

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Introduced in the Senate on January 10, 2023

Introduced in the House on March 1, 2023

Last Amended on February 21, 2023

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

Summary: Enhanced Penalty for Slow Drivers in Left Lane

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 12/7/2022 Senate Prefiled

 12/7/2022 Senate Referred to Committee on **Transportation**

 1/10/2023 Senate Introduced and read first time (Senate Journal‑page 186)

 1/10/2023 Senate Referred to Committee on **Transportation** (Senate Journal‑page 186)

 1/20/2023 Scrivener's error corrected

 1/19/2023 Senate Committee report: Favorable with amendment **Transportation** (Senate Journal‑page 13)

 2/1/2023 Senate Committee Amendment Adopted (Senate Journal‑page 13)

 2/14/2023 Senate Amended (Senate Journal‑page 7)

 2/21/2023 Senate Amended (Senate Journal‑page 19)

 2/23/2023 Senate Read second time (Senate Journal‑page 7)

 2/23/2023 Senate Roll call Ayes-38 Nays-1 (Senate Journal‑page 7)

 2/28/2023 Senate Read third time and sent to House (Senate Journal‑page 11)

 3/1/2023 House Introduced and read first time (House Journal‑page 48)

 3/1/2023 House Referred to Committee on **Judiciary** (House Journal‑page 48)

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=304&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[12/07/2022](https://www.scstatehouse.gov/sess125_2023-2024/prever/304_20221207.docx)

[02/01/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/304_20230201.docx)

[02/01/2023-A](https://www.scstatehouse.gov/sess125_2023-2024/prever/304_20230201a.docx)

[02/14/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/304_20230214.docx)

[02/21/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/304_20230221.docx)

Indicates Matter Stricken

Indicates New Matter

Amended

February 21, 2023

S. 304

Introduced by Senators Turner, Climer, Verdin and Kimbrell

S. Printed 02/21/23--S.

Read the first time January 10, 2023

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A bill

to amend the South Carolina Code of Laws by amending Section 56‑5‑1885, relating to Overtaking and passing another vehicle in the farthest left‑hand lane, so as to increase the fine from twenty‑five dollars to one hundred dollars and to provide that seventy‑five dollars from each fine collected must be credited to the highway patrol.

 Amend Title To Conform

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

SECTION 1. Section 56‑5‑1885(E)(1) of the S.C. Code is amended to read:

 (E)(1) A person who is adjudicated to be in violation of the provisions of this section must be fined not more than twenty‑fiveone 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 custodial arrest for a violation of this section must not be made, except upon a warrant issued for a failure to appear in court when summoned or for a failure to pay an imposed fine. A violation of this section does not constitute a criminal offense. Seventy‑five percent of each fine collected pursuant to this section shall be credited to the ticketing agency. 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;

 (b) included in the criminal records maintained by SLED; or

 (c) reported to the offender's motor vehicle insurer.

 (2)(a) Any time a motor vehicle is stopped by a state or local law enforcement officer without a citation being issued or an arrest being made, the officer who initiated the stop must complete a data collection form designed by the Department of Public Safety that must include information regarding the age, gender, and race or ethnicity of the driver of the vehicle. This information may be gathered and transmitted electronically under the supervision of the department which shall develop and maintain a database storing the information collected. The department must promulgate rules and regulations with regard to the collection and submission of the information gathered.

 (b) The Department of Public Safety shall develop and maintain a database for the information submitted to the department under subitem (a) and prepare a report to be posted on the department's website regarding motor vehicle stops using the collected information.

 (c) The General Assembly shall have the authority to withhold any state funds or federal pass-through funds from any state or local law enforcement agency that fails to comply with the requirements of this section.

 (d) This section must be reviewed by the Senate Transportation Committee and the House of Representatives Education and Public Works Committee during the 2024 Session of the General Assembly. The committees must make recommendations of appropriate changes, if any, to this section before the end of the 2024 Session.

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

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