**South Carolina General Assembly**

125th Session, 2023-2024

**H. 3137**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Burns, Haddon, Pope and Yow

Companion/Similar bill(s): 363, 3411, 3414

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Introduced in the House on January 10, 2023

Currently residing in the House

Summary: Limitations on altering a vehicle's height

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 12/8/2022 House Prefiled

 12/8/2022 House Referred to Committee on **Education and Public Works**

 1/10/2023 House Introduced and read first time (House Journal‑page 74)

 1/10/2023 House Referred to Committee on **Education and Public Works** (House Journal‑page 74)

 1/12/2023 House Member(s) request name added as sponsor: Yow

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**VERSIONS OF THIS BILL**

[12/08/2022](https://www.scstatehouse.gov/sess125_2023-2024/prever/3137_20221208.docx)

A bill

TO AMEND the south carolina code of laws by amending SECTION 56-5-4445, RELATING TO THE RESTRICTIONs On ELEVATING OR LOWERING A MOTOR VEHICLE, SO AS TO PROHIBIT MOTOR VEHICLE MODIFICATIONS THAT RESULT IN certain MOTOR VEHICLES’ FRONT FENDERs BEING RAISED FOUR OR MORE INCHES ABOVE THE HEIGHT OF THEir REAR FENDERs AND TO PROVIDE PENALTIES.

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

SECTION 1. Section 56‑5‑4445 of the S.C. Code is amended to read:

Section 56‑5‑4445. (A) It shall be unlawful for any person to drive a passenger motor vehicle on the highways of this State which has been elevated or lowered either in front or back, yet still leveled, more than six inches by a modification, alteration, or change in the physical structure of the vehicle. Any person violating the provisions of this section shall be deemed is guilty of a misdemeanor and, upon conviction, shall be fined not less than twenty‑five dollars nor more than fifty dollars. Provided, however, the provisions in this subsection shall do not apply to motor vehicles commonly called referred to as “pickup trucks”.

 (B)(1) It shall be unlawful for any person to drive a passenger motor vehicle, including motor vehicles commonly referred to as pickup trucks, on the highways of this State if, by alteration of the suspension, frame, or chassis, the height of the front fender is raised or lowered four or more inches above or below the height of the rear fender. For the purposes of this subsection, the height of the fender shall be a vertical measurement from and perpendicular to the ground, through the centerline of the wheel, and to the bottom of the fender.

 (2) A person who violates the provisions of this subsection is guilty of a misdemeanor and, upon conviction:

 (i) for a first offense, shall be fined one hundred dollars;

 (ii) for a second offense, shall be fined two hundred dollars; or

 (iii) for a third offense, shall be fined three hundred dollars and have his license suspended by the Department of Motor Vehicles for twelve months from the date of conviction.

 (3) Only offenses which occurred within five years of each other, including and immediately preceding the date of the last offense, shall constitute prior offenses within the meaning of this section.

SECTION 2. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 3. This act takes effect upon approval by the Governor.

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