**South Carolina General Assembly**

125th Session, 2023-2024

**H. 3812**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Hart

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Introduced in the House on January 25, 2023

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

Summary: Driving while using wireless communications devices

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/25/2023 House Introduced and read first time ([House Journal‑page 15](h:\hj\20230125.docx))

1/25/2023 House Referred to Committee on **Judiciary** ([House Journal‑page 15](h:\hj\20230125.docx))

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=3812&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[01/25/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/3812_20230125.docx)

A bill

TO AMEND THE south carolina CODE OF LAWS BY ADDING SECTION 56-5-3895 SO AS TO PROVIDE IT IS UNLAWFUL FOR PERSONs TO OPERATE MOTOR VEHICLEs WHILE USING CELLULAR TELEPHONEs, PAGERs, PERSONAL DIGITAL ASSISTANT DEVICEs, OR OTHER WIRELESS COMMUNICATIONS DEVICEs THAT are NOT EQUIPPED WITH HANDS-FREE MECHANISMs, AND TO PROVIDE PENALTies FOR VIOLATIONs OF THIS PROVISION.

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

SECTION 1. Article 31, Chapter 5, Title 56 of the S.C. Code is amended by adding:

Section 56‑5‑3895. (A) Notwithstanding another provision of law, it is unlawful for a person to operate a motor vehicle while using a cellular telephone, pager, personal digital assistant device, or another wireless communications device while the vehicle is in motion.

(B) This section does not apply to a cellular telephone, pager, personal digital assistant device, or another wireless communications device that is equipped with and operated with a hands‑free mechanism.

(C) A person who violates a provision contained in this section is guilty of a misdemeanor and, upon conviction, must be imprisoned not more than thirty days, or fined not more than five hundred dollars, or both.

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

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