**South Carolina General Assembly**

125th Session, 2023-2024

**H. 4436**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Wooten, Ballentine, Long, Erickson, Caskey, Calhoon, Wetmore, Taylor, Forrest, Hiott, Davis, Pope, Herbkersman, M.M. Smith, Robbins, Lawson, Burns, Chumley, Mitchell and Yow

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Introduced in the House on May 4, 2023

Introduced in the Senate on March 12, 2024

Currently residing in the Senate Committee on **Transportation**

Summary: Emergency vehicle operators

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 5/4/2023 House Introduced and read first time (House Journal‑page 14)

 5/4/2023 House Referred to Committee on **Education and Public Works** (House Journal‑page 14)

 1/10/2024 House Member(s) request name added as sponsor: Taylor

 1/17/2024 House Member(s) request name added as sponsor: Forrest,
 Hiott, Davis, Pope, Herbkersman, M.M.
 Smith, Robbins

 1/23/2024 House Member(s) request name added as sponsor: Lawson

 2/6/2024 House Member(s) request name added as sponsor: Burns,
 Chumley

 2/28/2024 House Committee report: Favorable **Education and Public Works** (House Journal‑page 10)

 3/1/2024 Scrivener's error corrected

 3/5/2024 House Member(s) request name added as sponsor: Mitchell, Yow

 3/6/2024 House Read second time (House Journal‑page 49)

 3/6/2024 House Roll call Yeas-116 Nays-0 (House Journal‑page 49)

 3/7/2024 House Read third time and sent to Senate (House Journal‑page 22)

 3/7/2024 House Roll call Yeas-109 Nays-0 (House Journal‑page 22)

 3/12/2024 Senate Introduced and read first time (Senate Journal‑page 6)

 3/12/2024 Senate Referred to Committee on **Transportation** (Senate Journal‑page 6)

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=4436&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[05/04/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/4436_20230504.docx)

[02/28/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/4436_20240228.docx)

[03/01/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/4436_20240301.docx)

Indicates Matter Stricken

Indicates New Matter

Committee Report

February 28, 2024

H. 4436

Introduced by Reps. Wooten, Ballentine, Long, Erickson, Caskey, Calhoon, Wetmore, Taylor, Forrest, Hiott, Davis, Pope, Herbkersman, M. M. Smith, Robbins, Lawson, Burns and Chumley

S. Printed 02/28/24--H. [SEC 3/1/2024 1:19 PM]

Read the first time May 04, 2023

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The committee on House Education and Public Works

To whom was referred a Bill (H. 4436) to amend the South Carolina Code of Laws by amending Section 56-5-1538, relating to emergency scene management, so as to provide drivers are responsible for maintaining, etc., respectfully

Report:

That they have duly and carefully considered the same, and recommend that the same do pass:

SHANNON ERICKSON for Committee.

statement of estimated fiscal impact

Explanation of Fiscal Impact

State Expenditure

This bill requires the driver of a vehicle who approaches or passes an emergency scene or authorized emergency vehicle with emergency lights flashing to control his or her vehicle to avoid interfering with the operation of an authorized emergency vehicle. A person who violates this requirement is guilty of a misdemeanor and, upon conviction, must be fined not less than $300 nor more than $500.

Department of Motor Vehicles. DMV indicates that this bill will not operationally or fiscally impact the department. Therefore, there is no expenditure impact to DMV.

Judicial. Judicial reports that implementation of the bill may increase caseloads in summary court, which can be managed using existing staff and appropriations. Therefore, the bill will result in no expenditure impact for Judicial.

State Revenue

This bill may result in an increase in the fines and fees collected in court. Court fines and fees are distributed to the General Fund, Other Funds, and local funds. Therefore, the Revenue and Fiscal Affairs Office (RFA) anticipates this bill may result in an undetermined impact to General Fund and Other Funds revenue due to the increase in fines and fees collections in court.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

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A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-5-1538, RELATING TO EMERGENCY SCENE MANAGEMENT, SO AS TO PROVIDE DRIVERS ARE RESPONSIBLE FOR MAINTAINING VEHICLE CONTROL IN CERTAIN EMERGENCY CIRCUMSTANCES TO AVOID INTERFERING WITH THE OPERATION OF AUTHORIZED EMERGENCY VEHICLES, AND TO PROVIDE PENALTIES FOR VIOLATIONS.

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

SECTION 1. Section 56-5-1538(F) and (H) of the S.C. Code is amended to read:

 (F) The driver of a vehicle shall ensure that the vehicle is kept under control when approaching or passing an emergency scene or authorized emergency vehicle stopped on or near the right-of-way of a street or highway with emergency lights flashing. The exercise of control required for a driver to comply with this section is that control possible and necessary by the driver to prevent a collision, to prevent injury to persons or property, and to avoid interference with the performance of emergency duties by emergency personnel, or interfering with the operation of an authorized emergency vehicle.

 (H) A person who violates the provisions of this section is guilty of the misdemeanor of endangering emergency services personnel or operators of authorized emergency vehicles and, upon conviction, must be fined not less than three hundred dollars nor more than five hundred dollars.

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

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