**South Carolina General Assembly**

125th Session, 2023-2024

**S. 448**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Hutto

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Introduced in the Senate on January 25, 2023

Introduced in the House on March 9, 2023

Last Amended on March 2, 2023

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

Summary: Habitual Offender Moped Exemption

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/25/2023 Senate Introduced and read first time ([Senate Journal‑page 5](h:\sj\20230125.docx))

1/25/2023 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 5](h:\sj\20230125.docx))

2/2/2023 Senate Referred to Subcommittee: Hutto (ch), Matthews,
Rice, Senn, Adams

2/16/2023 Scrivener's error corrected

2/22/2023 Senate Committee report: Favorable with amendment **Judiciary** ([Senate Journal‑page 18](h:\sj\20230222.docx))

2/27/2023 Scrivener's error corrected

3/2/2023 Senate Committee Amendment Adopted ([Senate Journal‑page 24](h:\sj\20230302.docx))

3/2/2023 Senate Read second time ([Senate Journal‑page 24](h:\sj\20230302.docx))

3/8/2023 Senate Read third time and sent to House ([Senate Journal‑page 15](h:\sj\20230308.docx))

3/8/2023 Senate Roll call Ayes-40 Nays-0 ([Senate Journal‑page 15](h:\sj\20230308.docx))

3/9/2023 House Introduced and read first time ([House Journal‑page 18](h:\hj\20230309.docx))

3/9/2023 House Referred to Committee on **Judiciary** ([House Journal‑page 18](h:\hj\20230309.docx))

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=448&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[01/25/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/448_20230125.docx)

[02/16/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/448_20230216.docx)

[02/22/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/448_20230222.docx)

[02/27/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/448_20230227.docx)

[03/02/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/448_20230302.docx)

Indicates Matter Stricken

Indicates New Matter

Committee Amendment Adopted

March 2, 2023

S. 448

Introduced by Senator Hutto

S. Printed 03/02/23--S.

Read the first time January 25, 2023

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A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56‑1‑1100, RELATING TO HABITUAL OFFENDER PENALTIES, SO AS TO PROVIDE AN EXCEPTION FOR DRIVING A MOPED FOR A PERSON DECLARED AN HABITUAL OFFENDER, AND TO REMOVE THE REQUIREMENT THAT THE DEPARTMENT OF MOTOR VEHICLES PROVIDES SPECIFIC NOTICE TO THE ATTORNEY GENERAL OR THE APPROPRIATE SOLICITOR OF ANY VIOLATIONS OF THIS SECTION.

Amend Title To Conform

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

SECTION 1. Section 56‑1‑1100 of the S.C. Code is amended to read:

Section 56‑1‑1100. A person found to be an habitual offender under the provisions of this article, who subsequently is convicted of operating a motor vehicle, except for a moped when the operator is issued a valid moped operator’s license, in this State while the decision of the Department of Motor Vehicles prohibiting the operation is in effect, but not including any time the person may remain suspended past the suspension dates due to unmet reinstatement requirements, is guilty of a felony and must be imprisoned not more than five years.

For the purpose of enforcing this section, in any case in which the accused is charged with driving a motor vehicle while his driver's license or permit is suspended or revoked or is charged with driving without a license, the department, before hearing the charges, shall determine whether the person has been adjudged an habitual offender and is barred from operating a motor vehicle on the highways of this State. If the person is found to be an habitual offender, the department shall notify the solicitor or Attorney General and he shall cause the appropriate criminal charges to be lodged against the offender.

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

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