**South Carolina General Assembly**

125th Session, 2023-2024

**H. 5024**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Elliott, Erickson and Bradley

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Introduced in the House on February 1, 2024

Introduced in the Senate on March 27, 2024

Last Amended on March 26, 2024

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

Summary: National Guard license plates

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 2/1/2024 House Introduced and read first time (House Journal‑page 14)

 2/1/2024 House Referred to Committee on **Education and Public Works** (House Journal‑page 14)

 3/21/2024 House Committee report: Favorable with amendment **Education and Public Works** (House Journal‑page 3)

 3/26/2024 House Member(s) request name added as sponsor:
 Erickson, Bradley

 3/26/2024 House Amended (House Journal‑page 46)

 3/26/2024 House Read second time (House Journal‑page 46)

 3/26/2024 House Roll call Yeas-119 Nays-0 (House Journal‑page 47)

 3/27/2024 House Read third time and sent to Senate (House Journal‑page 16)

 3/27/2024 Scrivener's error corrected

 3/27/2024 Senate Introduced and read first time (Senate Journal‑page 7)

 3/27/2024 Senate Referred to Committee on **Transportation** (Senate Journal‑page 7)

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=5024&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[02/01/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/5024_20240201.docx)

[03/21/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/5024_20240321.docx)

[03/26/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/5024_20240326.docx)

[03/27/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/5024_20240327.docx)

Indicates Matter Stricken

Indicates New Matter

Amended

March 26, 2024

H. 5024

Introduced by Reps. Elliott, Erickson and Bradley

S. Printed 03/26/24--H. [SEC 3/27/2024 12:21 PM]

Read the first time February 01, 2024

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statement of estimated fiscal impact

Explanation of Fiscal Impact

State Expenditure

This amended bill specifies that, upon the death of a member of the National Guard, a surviving spouse may apply to DMV for a National Guard license plate or may apply to transfer a license plate previously issued to a member of the National Guard. In addition, DMV is authorized to issue “Autistic and Neurodivergent” special license plates to registrants who are autistic or neurodivergent or who are parents of children who are autistic or neurodivergent. Further, DMV is authorized to issue “South Carolina Association of Pupil Transportation” special license plates. DMV anticipates that the bill will have no expenditure impact to the agency as any changes can be managed within existing appropriations.

State Revenue

This amended bill specifies that, upon the death of a member of the National Guard, a surviving spouse may apply to DMV for a National Guard license plate or may apply to transfer a license plate previously issued to a member of the National Guard. National Guard- Army, National Guard- Air, and National Guard- Retired license plates are subject to the regular biennial motor vehicle registration fee set forth in Article 5, Chapter 3, Title 56. The amended bill also specifies that DMV may issue “Autistic and Neurodivergent” and “South Carolina Association of Pupil Transportation” special license plates, which are also subject to the regular biennial motor vehicle registration fee. The amount of the registration fee varies by age and handicap status of the individual registrant, type and weight of vehicle, and designation of private-passenger or property-carrying.

For the transfer of any license plate, DMV reports that the agency charges a $10 fee, of which $3 is remitted to the General Fund. It is unknown how many surviving spouses of a National Guard member will apply for or transfer a National Guard license plate. Therefore, the increase in General Fund revenue is undetermined.

Pursuant to Section 56-3-260, $16 of each biennial registration fee is currently credited to the Infrastructure Maintenance Trust Fund, which is Other Funds of DOT. Additionally, $7 of each transfer fee is placed in the State Highway Fund, which is Other Funds of DOT. Additionally, pursuant to 56-3-1230, $2 of each biennial fee is currently credited to the Plate Replacement Fund, which is Other Funds of DMV. Further, the remainder of each registration fee is placed into the state highway account of the SCTIB pursuant to Section 56-3-910. It is unknown how many surviving spouses of a National Guard member will apply for or transfer a National Guard license plate. It is also unknown how many drivers will request “Autistic and Neurodivergent” and “South Carolina Association of Pupil Transportation” special license plates. Therefore, the increase in Other Funds revenue of DOT, Other Funds revenue of DMV, and Other Funds revenue of the SCTIB is undetermined. For reference, as of December 1, 2023, there were 3,257 active National Guard licenses plate registrations.

An additional fee of $25 for the “South Carolina Association for Pupil Transportation” is distributed to the association of the same name. This special license plate is subject to the provisions of Section 56-3-8100, which requires DMV to receive $6,800 from the organization seeking issuance of the plate before beginning production and issuance. The full $6,800 is distributed to the State Highway Fund. Therefore, this portion of the amended bill may increase Other Funds of DOT by at least $6,800, although the total amount of the increase is undetermined, as explained above.

State Expenditure

This bill specifies that, upon the death of a member of the National Guard, a surviving spouse may apply to DMV for a National Guard license plate or may apply to transfer a license plate previously issued to a member of the National Guard. DMV anticipates that the bill will have no expenditure impact to the agency as any changes can be managed within existing appropriations.

State Revenue

This bill specifies that, upon the death of a member of the National Guard, a surviving spouse may apply to DMV for a National Guard license plate or may apply to transfer a license plate previously issued to a member of the National Guard. National Guard- Army, National Guard- Air, and National Guard- Retired license plates are subject to the regular biennial motor vehicle registration fee set forth in Article 5, Chapter 3, Title 56. The amount of the registration fee varies by age and handicap status of the individual registrant, type and weight of vehicle, and designation of private-passenger or property-carrying.

For the transfer of any license plate, DMV reports that the agency charges a $10 fee, of which $3 is remitted to the General Fund. It is unknown how many surviving spouses of a National Guard member will apply for or transfer a National Guard license plate. Therefore, the increase in General Fund revenue is undetermined.

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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 56-3-14990, RELATING TO SURVIVING SPOUSEs APPLYing FOR LICENSE PLATEs OR the TRANSFER OF certain LICENSE PLATEs, SO AS TO PROVIDE SURVIVING SPOUSES OF MEMBERS OF THE NATIONAL GUARD MAY APPLY TO obtain national guard license plates or TRANSFER national guard LICENSE PLATES ISSUED TO THEIR SPOUSES.

 Amend Title To Conform

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

SECTION 1. Section 56-3-14990 of the S.C. Code is amended to read:

 Section 56-3-14990. (A) Upon the death of an award recipient, a surviving spouse may apply to the department for a license plate issued under the provisions of Section 56-3-14910, 56-3-14920, or 56‑3‑14930(A)(3). The surviving spouse may apply to the department to transfer a license plate previously issued to the award recipient under the provisions of Section 56-3-14910, 56-3-14920, or 56‑3‑14930(A)(3) pursuant to Section 56-3-210(G). The surviving spouse must turn the plate into the department when the surviving spouse is no longer eligible for surviving spouse military benefits.

 (B) Upon the death of a member of the National Guard, a surviving spouse may apply to the department for a license plate issued under the provisions of Section 56-3-14970(A) (10), (11), or (12). The surviving spouse may apply to the department to transfer a license plate previously issued to a member of the National Guard under the provisions of Section 56-3-14970(A) (10), (11), or (12) pursuant to Section 56-3-210(G). The surviving spouse must turn the plate into the department when the surviving spouse is no longer eligible for surviving spouse National Guard benefits.

SECTION 2. Chapter 3, Title 56 of the S.C. Code is amended by adding:

Article 60

“Autistic and Neurodivergent Special License Plates”

 Section 56-3-7100. The Department of Motor Vehicles may issue “Autistic and Neurodivergent” special motor vehicle license plates to owners of private passenger-carrying motor vehicles registered in their names who are autistic or neurodivergent or who are parents of children who are autistic or neurodivergent. The application for this special motor vehicle license plate must include an original certificate from a licensed physician that certifies the applicant or his child is autistic or neurodivergent. The fee for each special license plate is the regular motor vehicle license fee set forth in Article 5. Each special license plate must be of the same size and general design of regular motor vehicle license plates and contain the “Just Bee” icon as identification for autistic or neurodivergent individuals. Each special license plate must be issued or revalidated for a biennial period which expires twenty-four months from the month the special license plate is issued.

SECTION 3. Chapter 3, Title 56 of the S.C. Code is amended by adding:

Article 150

South Carolina Association for Pupil Transportation Special License Plates

 Section 56-3-16000. (A) The Department of Motor Vehicles may issue “South Carolina Association for Pupil Transportation” special license plates. Each special license plate must be issued or revalidated for a biennial period that expires twenty-four months from the month the special license plate is issued.

 (B) The South Carolina Association for Pupil Transportation shall submit to the department for approval the design, emblem, seal, logo, or other symbols it desires to be used for this special license plate. The department may issue this special license plate six months following approval of its design.

 (C) The requirements for production, collection, and distribution of fees for a special license plate under this section must meet the requirements in Section 56-3-8100.

 (D) The biennial fee for each special license plate is twenty-five dollars plus the regular motor vehicle license fee set forth in Article 5, Chapter 3, Title 56. The twenty-five-dollar fee must be distributed to the South Carolina Association for Pupil Transportation.

SECTION 4. This act takes effect upon approval by the Governor.

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