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Summary: South Carolina Speed Safety Act

**HISTORY OF LEGISLATIVE ACTIONS**

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**VERSIONS OF THIS BILL**

[05/07/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/664_20250507.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE “SOUTH CAROLINA SPEED SAFETY ACT OF 2025” BY ADDING ARTICLE 12 TO CHAPTER 5, TITLE 56 SO AS TO PROVIDE DEFINITIONS, AND TO PROVIDE CERTAIN LOCAL GOVERNMENTAL AGENCIES TO EMPLOY SPEED‑SAFETY SYSTEMS; BY AMENDING SECTION 56‑5‑70, RELATING TO CERTAIN VEHICLE REQUIREMENTS SUSPENDED DURING STATES OF EMERGENCY, AND DECLARATIONS OF EMERGENCIES TRIGGERING FEDERAL RELIEF, SO AS TO DELETE THE PROVISION CONCERNING THE ISSUANCE OF CITATIONS FOR CERTAIN TRAFFIC VIOLATIONS; BY AMENDING SECTION 56‑5‑710, RELATING TO POWERS OF LOCAL AUTHORITIES, SO AS TO DELETE THE PROVISION RELATING TO THE ISSUANCE OF CERTAIN TRAFFIC CITATIONS; AND BY repealing SECTION 56‑7‑35, RELATING TO THE ISSUANCE OF UNIFORM TRAFFIC TICKETS FOR CERTAIN OFFENSES.

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

SECTION 1. This act may be cited as the “South Carolina Speed‑Safety Act of 2025.”

SECTION 2. Chapter 5, Title 56 of the S.C. Code is amended by adding:

Article 12

Speed‑safety systems

Section 56‑5‑1310. (A) As contained in this section:

(1) “Agency” means:

(a) a law enforcement agency of a local political subdivision that is authorized to issue a citation for a violation of local traffic laws or regulations and has a population that is equal to or greater than twenty‑five thousand citizens; or

(b) for a municipal corporation with a population equal to or greater than twenty‑five thousand citizens that does not maintain a police force, an agency established or designated by the municipal corporation to implement this article using speed‑safety systems in accordance with this article.

(2) “Owner” means the registered owner of a motor vehicle or a lessee of a motor vehicle under a lease of six months or more. “Owner” does not include:

(a) a motor vehicle rental or leasing company; or

(b) a holder of a special registration plate.

(3) “Recorded image” means an image recorded by a speed‑safety system on:

(a) a photograph;

(b) a microphotograph;

(c) an electronic image;

(d) videotape; or

(e) any other medium and showing:

(i) the rear of a motor vehicle;

(ii) at least two time‑stamped images of the motor vehicle; and

(iii) on at least one image or portion of tape, a clear and legible identification of the entire registration plate number of the motor vehicle.

(4) “Speed‑safety system” means a device with one or more scanning lidar motor vehicle sensors producing recorded images of motor vehicles traveling at speeds at least five miles‑per‑hour above the posted speed limit.

(5) “Hearing officer” means a municipal employee who is specifically assigned to the nonjudicial administrative hearing process to review objections to citations or penalties issued or assessed under this section.

(6) “Speed‑safety system operator” means an employee of an agency or contractor who has been trained and certified to setup and operate a speed‑monitoring system in accordance with manufacturer guidelines.

(B) For agencies employing a speed‑safety system, on a roadway in a school zone or a construction zone established under this section:

(1) before activating an unmanned stationary speed‑monitoring system, the local jurisdiction shall:

(a) publish notice of the location of the speed‑monitoring system on its website;

(b) ensure that each sign that designates a school zone or construction zone indicates that speed‑safety systems are in use in school zones or construction zones;

(c) regarding a speed‑safety system, ensure that all speed limit signs approaching and within the segment of roadway on which the speed‑monitoring system is located include signs that:

(i) are in accordance with the manual and specifications for the uniform system of traffic control devices; and

(ii) indicate that a speed‑safety system is in use; and

(d) issue warning notices for the first thirty days; and

(2) A speed‑safety system in a school zone may operate only Monday through Friday between 6:00 a.m. and 8:00 p.m.

(C) A speed‑safety system operator shall complete training by a manufacturer of speed‑monitoring systems in the procedures for setting up and operating the speed‑monitoring system. The manufacturer shall issue a signed certificate to the speed‑monitoring system operator on completion of the training. The certificate of training shall be admitted as evidence in any hearing proceeding for a violation of this section. A speed‑monitoring system operator shall fill out and sign a set‑up log for a speed‑monitoring system that:

(1) states that the speed‑safety system operator successfully performed the manufacturer‑specified self‑test of the speed‑monitoring system prior to producing a recorded image;

(2) shall be kept on file and shall be admitted as evidence in any hearing proceeding for a violation of this section.

(D) A speed‑safety system shall undergo an annual calibration check performed by a calibration agency. The calibration agency shall issue a signed certificate of calibration after the annual calibration check that must be:

(1) kept on file; and

(2) admitted as evidence in any hearing proceeding for a violation of this section.

(E) A speed‑safety system shall not produce a recorded image unless a certified peace officer has initiated operation of the system.

(F)(1) Unless the driver of the motor vehicle received a citation from a police officer at the time of the violation, the owner or, in accordance with subsection (I)(4), the driver of a motor vehicle is subject to a civil penalty if the motor vehicle is recorded by a speed‑safety system while being operated in violation of this section.

(2) A civil penalty under this subsection may not exceed two hundred dollars.

(3) For purposes of this section, the agency shall prescribe a:

(a) uniform citation form consistent with subsection (G)(1); and

(b) civil penalty, which must be indicated on the citation, to be paid by persons who choose to prepay the civil penalty without appearing in front of a hearing officer.

(G)(1) An agency shall mail to an owner liable under subsection (F) a citation that shall include:

(a) the name and address of the registered owner of the vehicle;

(b) the registration number of the motor vehicle involved in the violation;

(c) the violation charged;

(d) the location where the violation occurred;

(e) the date and time of the violation;

(f) a copy of the recorded image;

(g) the amount of the civil penalty imposed and the date by which the civil penalty should be paid;

(h) a signed statement by a duly authorized law enforcement officer employed by or under contract with an agency that, based on inspection of recorded images, the motor vehicle was being operated in violation of this section;

(i) a statement that recorded images are evidence of a violation of this section;

(j) information advising the person alleged to be liable under this section of the manner and time in which liability as alleged in the citation may be contested with a hearing officer; and

(k) information advising the person alleged to be liable under this section that failure to pay the civil penalty or to contest liability in a timely manner is an admission of liability.

(2) An agency may mail a warning notice instead of a citation to the owner liable under subsection (F).

(3) Except as provided in subsection (I)(4), an agency may not mail a citation to a person who is not a motor vehicle owner.

(4) Except as provided in subsection (I)(4), a citation issued under this section must be mailed no later than two weeks after the alleged violation if the vehicle is registered in this State, and thirty days after the alleged violation if the vehicle is registered in another state.

(5) A person who receives a citation may:

(a) pay the civil penalty, in accordance with instructions on the citation, directly to the political subdivision; or

(b) elect to appeal their citation with a hearing officer for the alleged violation.

(H)(1) A certificate alleging that the violation of this section occurred and the requirements under subsection (B) have been satisfied, sworn to, or affirmed by a law enforcement officer assigned to an agency, based on inspection of recorded images produced by a speed‑monitoring system, shall be evidence of the facts contained in the certificate and shall be admissible in a proceeding alleging a violation under this section.

(2) Adjudication of liability shall be based on a preponderance of evidence.

(I)(1) A municipality shall establish a nonjudicial administrative hearing process to review objections to citations or penalties issued or assessed under this section. The municipality may assign a hearing officer to review objections.

(2) The hearing officer may consider in defense of a violation:

(a) that the motor vehicle or the registration plates of the motor vehicle were stolen before the violation occurred and were not under the control or possession of the owner at the time of the violation;

(b) subject to item (3), evidence that the person named in the citation was not operating the vehicle at the time of the violation; and

(c) any other issues and evidence that the hearing officer deems pertinent.

(3) To demonstrate that the motor vehicle or the registration plate was stolen before the violation occurred and were not under the control or possession of the owner at the time of the violation, the owner shall submit proof that a police report regarding the stolen motor vehicle or registration plate was filed in a timely manner.

(4) The person named in the citation shall provide to the hearing officer a letter, sworn to or affirmed by the person and mailed by certified mail, return receipt requested, that:

(a) states the person named in the citation was not operating the vehicle at the time of the violation; and

(b) includes any other corroborating evidence.

(5)(a) If the hearing officer finds that the person named in the citation was not operating the vehicle at the time of the violation or receives evidence under identifying the person driving the vehicle at the time of the violation, the hearing officer shall provide to the agency issuing the citation a copy of any evidence substantiating who was operating the vehicle at the time of the violation.

(b) On receipt of substantiating evidence from the hearing officer, an agency may issue a citation to the person who the evidence indicates was operating the vehicle at the time of the violation.

(c) A citation must be mailed no later than two weeks after receipt of the evidence from the hearing officer.

(J) A violation for which a civil penalty is imposed under this section:

(1) is not a moving violation for the purpose of assessing points under this title;

(2) may not be recorded by the agency on the driving record of the owner or driver of the vehicle;

(3) may be treated as a parking violation for purposes of this article; and

(4) may not be considered in the provision of motor vehicle insurance coverage.

(K) If a contractor operates a speed‑monitoring system on behalf of an agency, the contractor’s fee may not be contingent on a percentage of the fine amount.

(L) Revenue generated by the use of speed‑safety systems must be used by municipalities only for public safety, traffic safety, or educational initiatives.

(M) No later than three years after the effective date of this article, any agency using a speed‑safety system shall submit a report to the Clerk of the South Carolina Senate, the Clerk of the South Carolina House of Representatives, the Senate Judiciary Committee, the House Judiciary Committee, the Senate Transportation Committee, and the House Transportation Committee that analyzes the public safety and social and racial equity impacts of this article.

SECTION 3. Section 56‑5‑70(E) of the S.C. Code is amended to read:

(E) Citations for violating a local ordinance or the traffic laws relating to speeding or disregarding traffic control devices based in whole or in part on photographic evidence, whether gathered in conjunction with radar speed detection devices and whether the camera or other electronic device capturing the photographic evidence was attended or unattended at the time it captured the photographic evidence, only may be issued for violations that occur while relief from regulations pursuant to 49 C.F.R. 390.23 has been granted due to an emergency. A person who receives a citation for violating traffic laws relating to speeding or disregarding traffic control devices based in whole or in part on photographic evidence must be served in person with notice of the violation within one hour of the occurrence of the violation unless a collision occurred and fault cannot be determined immediately or the party who caused the collision is not immediately accessible due to medical treatment. The provisions of this subsection do not apply to toll collection enforcement.

SECTION 4. Section 56-5-710 of the S.C. Code is amended to read:

Section 56-5-710. (A) Subject to the limitations prescribed in Section 56-5-930, the provisions of this chapter shall not be deemed to prevent local authorities with respect to streets and highways under their jurisdiction and within the reasonable exercise of the police power from:

(1) regulating the standing or parking of vehicles;

(2) regulating traffic by means of police officers or traffic control signals;

(3) regulating or prohibiting processions or assemblages on the highways;

(4) designating particular highways as one-way highways and requiring that all vehicles thereon be moved in one specific direction;

(5) regulating the speed of vehicles in public parks;

(6) designating any highway as a through highway and requiring that all vehicles stop before entering or crossing it or designating any intersection as a stop intersection and requiring all vehicles to stop at one or more entrances at such intersection;

(7) restricting the use of highways as authorized in Sections 56-5-4210 and 56-5-4220;

(8) regulating the operation of bicycles and requiring the registration and licensing of them, including the requirement of a registration fee;

(9) regulating or prohibiting the turning of vehicles or specified types of vehicles at intersections;

(10) altering the prima facie speed limits as authorized herein; or

(11) adopting such other traffic regulations as are specifically authorized by this chapter.

(B) Nothing in subsection (A) may be construed to permit a local authority to issue a uniform traffic citation for violating a local ordinance or the traffic laws relating to speeding or disregarding traffic control devices based in whole or in part upon photographic evidence whether gathered in conjunction with radar speed detection devices and whether the camera or other electronic device capturing the photographic evidence was attended or unattended at the time it captured the photographic evidence.

SECTION 5. Section 56-7-35 of the S.C. Code is repealed.

SECTION 6. This act takes effect upon approval by the Governor. All provisions of this act are repealed on December 31, 2030, and the statues shall revert back to the language contained in the Code of Laws prior to the effective date of this act.

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