



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE

STATEMENT OF ESTIMATED FISCAL IMPACT

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This fiscal impact statement is produced in compliance with the South Carolina Code of Laws and House and Senate rules. The focus of the analysis is on governmental expenditure and revenue impacts and may not provide a comprehensive summary of the legislation.

Bill Number:	H. 3944	Introduced on February 11, 2025
Subject:	Motor Vehicles	
Requestor:	House Education and Public Works	
RFA Analyst(s):	Bryant	
Impact Date:	March 5, 2025	

Fiscal Impact Summary

This bill specifies that a motor vehicle that is primarily powered by an electric battery is allowed to exceed the gross, single axle, tandem axle, or bridge formula weight limits, including tolerances, by no more than 2,000 pounds each individually weighed, up to a maximum gross vehicle weight of 82,000 pounds. The bill further specifies that this provision also applies on the interstate as allowed by federal law.

This bill will have no expenditure impact on the Department of Public Safety (DPS). The department indicates that it can manage the provisions of the bill with existing appropriations.

This bill will have no expenditure impact on the Department of Motor Vehicles (DMV) since it does not operationally or fiscally impact the department.

Judicial reports that while magistrates have jurisdiction over contested weight violations pursuant to Section 56-4-4160(F), this constitutes only a portion of the total number of weight violations, as many are resolved by paying the fine directly to DPS pursuant to Section 56-5-4160(E). Judicial indicates that this bill may decrease the number of overall violations by creating this new exception but is unable to determine whether this bill will have any impact on circuit court caseloads because of the large portion of cases that are resolved out-of-court. However, Judicial does not anticipate any immediate cost savings. Judicial further anticipates that it can manage any expenses that may arise due to implementation of the bill within existing appropriations.

This bill creates a new exception to the weight limits for motor vehicles primarily powered by an electric battery, which may reduce the number of contested weight violations. Pursuant to Sections 56-4-4160(F) and (K), all fines collected, including those collected in magistrate court, must be forwarded to DPS and deposited into the Size, Weight, and Safety Revitalization Program Fund for Permanent Improvements. However, based on information from DPS, the Revenue and Fiscal Affairs Office (RFA) anticipates that any reduction in the number of weight violations and fines due to this new exception will likely be negligible.

Based on information from Judicial and Charleston, Chesterfield, Florence, and Horry counties, magistrates have jurisdiction over violations pursuant to this bill. RFA anticipates that the

provisions of the bill can be managed within current resources. Therefore, the bill is not expected to have an expenditure impact on county governments.

Explanation of Fiscal Impact

Introduced on February 11, 2025

State Expenditure

This bill specifies that a motor vehicle that is primarily powered by an electric battery is allowed to exceed the gross, single axle, tandem axle, or bridge formula weight limits, including tolerances, by no more than 2,000 pounds each individually weighed, up to a maximum gross vehicle weight of 82,000 pounds. The bill further specifies that this provision also applies on the interstate as allowed by federal law.

Department of Public Safety. This bill will have no expenditure impact on DPS. The department indicates that it can manage the provisions of the bill with existing appropriations.

Department of Motor Vehicles. This bill will have no expenditure impact on DMV since the bill does not operationally or fiscally impact the department.

Judicial. Judicial reports that while magistrates have jurisdiction over contested weight violations pursuant to Section 56-4-4160(F), this constitutes only a portion of the total number of weight violations, as many are resolved by paying the fine directly to DPS pursuant to Section 56-5-4160(E). Judicial indicates that this bill may decrease the number of overall violations by creating this new exception but is unable to determine whether this bill will have any impact on summary court caseloads because of the large portion of cases that are resolved out-of-court. However, Judicial does not anticipate any immediate cost savings. Judicial also anticipates that it can manage any expenses that may arise due to implementation of the bill within existing appropriations.

State Revenue

This bill creates a new exception to the weight limits for motor vehicles primarily powered by an electric battery, which may reduce the number of contested weight violations. Pursuant to Sections 56-4-4160(F) and (K), all fines collected, including those collected in magistrate court, must be forwarded to DPS and deposited into the Size, Weight, and Safety Revitalization Program Fund for Permanent Improvements. However, based on information from DPS, RFA anticipates that any reduction in the number of weight violations and fines due to this new exception will likely be negligible.

Local Expenditure

This bill amends Section 56-5-4160, relating to vehicle weights and their loads, unloading their excess weight, and penalties, so as to provide maximum weights for electric battery powered vehicles. The bill specifies that a motor vehicle that is primarily powered by an electric battery is allowed to exceed the gross, single axle, tandem axle, or bridge formula weight limits, including tolerances, by no more than 2,000 pounds each individually weighed, up to a maximum gross

vehicle weight of 82,000 pounds. The bill further specifies that this provision also applies on the interstate as allowed by federal law.

Based on information from Judicial and Charleston, Chesterfield, Florence, and Horry counties, magistrates have jurisdiction over violations pursuant to this bill. RFA anticipates that the provisions of the bill can be managed within current resources. Therefore, the bill is not expected to have an expenditure impact on county governments.

Local Revenue

N/A



Frank A. Rainwater, Executive Director