

Session 115 - (2003-2004)

H 3304 General Bill, By Easterday, Harrell and Tripp

Summary: Gross intoxication under driving under the influence provisions

A BILL TO AMEND SECTION 56-1-1320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF A PROVISIONAL DRIVER'S LICENSE, SO AS TO PROVIDE THAT A PERSON CONVICTED OF AN OFFENSE THAT PROHIBITS A PERSON FROM OPERATING A VEHICLE WHILE UNDER THE INFLUENCE OF INTOXICATING LIQUOR, DRUGS, OR NARCOTICS AND WHO AT THE TIME OF THE OFFENSE, HAD AT LEAST SIXTEEN ONE-HUNDREDTHS OF ONE PERCENT OR MORE BY WEIGHT OF ALCOHOL IN HIS BLOOD MAY NOT OBTAIN A PROVISIONAL DRIVER'S LICENSE; TO AMEND SECTION 56-5-2930, AS AMENDED, RELATING TO THE UNLAWFUL OPERATION OF A MOTOR VEHICLE WHILE UNDER THE INFLUENCE OF ALCOHOL, DRUGS, OR BOTH, SO AS TO ESTABLISH GROSS INTOXICATION AS AN OFFENSE; TO AMEND SECTION 56-5-2940, AS AMENDED, RELATING TO THE PENALTY FOR DRIVING WHILE UNDER THE INFLUENCE OF ALCOHOL, DRUGS, OR BOTH, SO AS TO PROVIDE ENHANCED PENALTIES FOR A PERSON WHO HAS AT LEAST SIXTEEN ONE-HUNDREDTHS OF ONE PERCENT BY WEIGHT OF ALCOHOL IN HIS BLOOD; TO AMEND SECTION 56-5-2950, AS AMENDED, RELATING TO IMPLIED CONSENT TO CHEMICAL TESTS OF BREATH, BLOOD, AND URINE, SO AS TO PROVIDE THAT IT MAY BE INFERRED THAT A PERSON WHO HAS AT LEAST SIXTEEN ONE-HUNDREDTHS OF ONE PERCENT BY WEIGHT OF ALCOHOL IN HIS BLOOD IS GROSSLY INTOXICATED; AND TO AMEND SECTION 56-5-2990, AS AMENDED, RELATING TO THE SUSPENSION OF THE DRIVER'S LICENSE OF A PERSON CONVICTED OF DRIVING WHILE UNDER THE INFLUENCE OF ALCOHOL, DRUGS, OR BOTH, SO AS TO PROVIDE ENHANCED PENALTIES FOR A PERSON WHO IS GROSSLY INTOXICATED.

01/14/03 House Introduced and read first time

01/14/03 House Referred to Committee on Judiciary