

Session 112 - (1997-1998)

H 3987 General Bill, By Seithel, Fleming and Keegan

A BILL TO AMEND SECTION 56-5-2950, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE IMPLIED CONSENT TO A CHEMICAL TEST TO DETERMINE THE ALCOHOLIC CONTENT OF THE BLOOD OF A PERSON WHO OPERATES A MOTOR VEHICLE UPON THE PUBLIC ROADS OF THIS STATE, SO AS TO DECREASE THE PERCENTAGES OF ALCOHOL IN A PERSON'S BLOOD USED TO CREATE PRESUMPTIONS WHICH MUST BE USED IN DETERMINING THE GUILTY OF PERSONS VIOLATING THE PROVISIONS OF SECTION 56-5-2930 AND TO PROVIDE THAT ON AND AFTER JULY 1, 1998, IT MUST BE INFERRED THAT A PERSON IS UNDER THE INFLUENCE OF ALCOHOL IF THERE WAS AT THAT TIME EIGHT-ONE HUNDREDTHS OF ONE PERCENT OR MORE BY WEIGHT OF ALCOHOL IN THE PERSON'S BLOOD; TO PROVIDE A TRANSITION PERIOD FOR THE FURTHER REDUCTION OF THE PERCENTAGES; TO AMEND SECTION 56-5-3660, AS AMENDED, RELATING TO THE WEARING OF HELMETS BY CERTAIN OPERATORS OF AND PASSENGERS ON A TWO-WHEELED MOTORIZED VEHICLE, SO AS TO DELETE THE REQUIREMENT THAT THIS PROVISION APPLIES ONLY TO A PERSON UNDER THE AGE OF TWENTY-ONE; AND TO AMEND SECTION 56-5-6540, RELATING TO THE PENALTIES AND ENFORCEMENT OF CERTAIN PROVISIONS THAT REQUIRE THE WEARING OF A SAFETY BELT BY THE DRIVER AND EVERY PASSENGER OF A MOTOR VEHICLE, SO AS TO ALLOW A LAW ENFORCEMENT OFFICER TO STOP A DRIVER AND ISSUE A CITATION FOR A VIOLATION OF THIS PROVISION.

04/10/97 House Introduced and read first time HJ-97

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