

## Session 119 - (2011-2012)

### H 4438 General Bill, By Rutherford and Clyburn

**Summary:** Choice of test for DUI arrest

A BILL TO AMEND SECTION 56-5-2950, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A DRIVER OF A MOTOR VEHICLE IMPLIED CONSENT TO BE TESTED TO DETERMINE WHETHER ALCOHOL OR DRUGS ARE PRESENT IN HIS BREATH, BLOOD, OR URINE, SO AS TO PROVIDE THAT A PERSON WHO IS ARRESTED FOR DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS MUST BE OFFERED THE CHOICE OF TAKING A BREATH OR BLOOD TEST TO DETERMINE THE PRESENCE OF ALCOHOL OR DRUGS IN HIS SYSTEM, AND TO PROVIDE THAT A PERSON WHO REGISTERS AN ALCOHOL CONCENTRATION OF FIVE ONE-HUNDREDTHS OF ONE PERCENT OR LESS MAY NOT BE CHARGED WITH DRIVING A MOTOR VEHICLE WHILE UNDER THE INFLUENCE OF ALCOHOL OR DRUGS.

**11/29/11 House Prefiled**

**11/29/11 House Referred to Committee on Judiciary**

**01/10/12 House Introduced and read first time (House Journal-page 38)**

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