**South Carolina General Assembly**

118th Session, 2009-2010

**A79, R115, H3762**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Duncan, Umphlett, Dillard, Ott, Forrester, D.C. Moss, Parker, Stringer, Vick, Hodges and Knight

Document Path: l:\council\bills\swb\5837cm09.docx

Companion/Similar bill(s): 805

Introduced in the House on March 25, 2009

Introduced in the Senate on April 14, 2009

Last Amended on May 19, 2009

Passed by the General Assembly on May 20, 2009

Governor's Action: June 2, 2009, Vetoed

Legislative veto action(s): Veto overridden

Summary: Special license plates

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

3/25/2009 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2009\03-25-09.docx)‑10

3/25/2009 House Referred to Committee on **Education and Public Works** [HJ](file:///h:\HJ%20Archive\2009\03-25-09.docx)‑11

3/31/2009 House Recalled from Committee on **Education and Public Works** [HJ](file:///h:\HJ%20Archive\2009\03-31-09.docx)‑72

4/1/2009 House Member(s) request name added as sponsor: Hodges, Knight

4/1/2009 House Read second time [HJ](file:///h:\HJ%20Archive\2009\04-01-09.docx)‑71

4/2/2009 House Read third time and sent to Senate [HJ](file:///h:\HJ%20Archive\2009\04-02-09.docx)‑14

4/14/2009 Senate Introduced and read first time [SJ](file:///h:\SJ%20Archive\2009\04-14-09.docx)‑26

4/14/2009 Senate Referred to Committee on **Transportation** [SJ](file:///h:\SJ%20Archive\2009\04-14-09.docx)‑26

5/7/2009 Senate Committee report: Favorable with amendment **Transportation** [SJ](file:///h:\SJ%20Archive\2009\05-07-09.docx)‑20

5/12/2009 Senate Committee Amendment Adopted [SJ](file:///h:\SJ%20Archive\2009\05-12-09.docx)‑35

5/12/2009 Senate Amended [SJ](file:///h:\SJ%20Archive\2009\05-12-09.docx)‑35

5/12/2009 Senate Read second time [SJ](file:///h:\SJ%20Archive\2009\05-12-09.docx)‑35

5/13/2009 Senate Read third time and returned to House with amendments [SJ](file:///h:\SJ%20Archive\2009\05-13-09.docx)‑18

5/19/2009 House Senate amendment amended [HJ](file:///h:\HJ%20Archive\2009\05-19-09.docx)‑38

5/19/2009 House Returned to Senate with amendments [HJ](file:///h:\HJ%20Archive\2009\05-19-09.docx)‑41

5/20/2009 Senate Concurred in House amendment and enrolled [SJ](file:///h:\SJ%20Archive\2009\05-20-09.docx)‑49

5/27/2009 Ratified R 115

6/2/2009 Vetoed by Governor

6/16/2009 House Veto overridden by originating body Yeas‑91 Nays‑15 [HJ](file:///h:\HJ%20Archive\2009\06-16-09.docx)‑115

6/16/2009 Senate Veto overridden Yeas‑34 Nays‑8

6/22/2009 Effective date 06/16/09

6/24/2009 Act No. 79

**VERSIONS OF THIS BILL**

[3/25/2009](file:///p:\pprever\2009-10\3762_20090325.docx)

[3/31/2009](file:///p:\pprever\2009-10\3762_20090331.docx)

[5/7/2009](file:///p:\pprever\2009-10\3762_20090507.docx)

[5/12/2009](file:///p:\pprever\2009-10\3762_20090512.docx)

[5/19/2009](file:///p:\pprever\2009-10\3762_20090519.docx)

(A79, R115, H3762)

**AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 77 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE “OUR FARMS‑OUR FUTURE” SPECIAL LICENSE PLATES; TO AMEND ARTICLE 45, CHAPTER 3, TITLE 56, RELATING TO THE DEPARTMENT OF MOTOR VEHICLES ISSUANCE OF “SPECIAL COMMEMORATIVE LICENSE PLATES”, SO AS TO CHANGE THE NAME OF THESE LICENSE PLATES TO THE “SOUTH CAROLINA WILDLIFE LICENSE PLATES”, TO PROVIDE THE PROCEDURES WHEREBY THE DEPARTMENT SHALL ISSUE THESE LICENSE PLATES, AND TO PROVIDE THAT THE “GAME PROTECTION FUND” IS RENAMED THE “FISH AND WILDLIFE PROTECTION FUND”; TO AMEND SECTION 56-3-9910, AS AMENDED, RELATING TO THE ISSUANCE OF “GOLD STAR FAMILY SPECIAL LICENSE PLATES”, SO AS TO REVISE THE PROCEDURES REGARDING THE ISSUANCE AND COST OF THESE SPECIAL LICENSE PLATES; AND BY ADDING ARTICLE 79 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE “RECYCLING SPECIAL LICENSE PLATES”.**

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

**Our Farms-Our Future Special License Plates**

SECTION 1. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“Article 77

Our Farms‑Our Future Special License Plates

Section 56‑3‑7890. (A) The Department of Motor Vehicles may issue special motor vehicle license plates to owners of private passenger carrying motor vehicles, as defined in Section 56‑3‑630, or motorcycles registered in their names which shall have imprinted on the plate ‘Our Farms‑Our Future’ and which may have a design representative of agriculture. The South Carolina Farm Bureau Federation shall submit to the department for its approval a design it desires to be used for this special license plate. The South Carolina Farm Bureau Federation may request a change in the design not more than once every five years. The fee for this special license plate is seventy dollars every two years in addition to the regular motor vehicle registration fee set forth in Article 5, Chapter 3, Title 56. This special license plate must be of the same size and general design of regular motor vehicle license plates. This special license plate must be issued or revalidated for a biennial period which expires twenty‑four months from the month it is issued.

(B) The fees collected pursuant to this section above the cost of the regular motor vehicle registration fee must be distributed to the 501(c)(3) nonprofit South Carolina Farm Bureau Federation ‘Ag in the Classroom’ fund.

(C) The guidelines for the production of a special license plate under this section must meet the requirements of Section 56‑3‑8100.”

**South Carolina Wildlife License Plates**

SECTION 2. A. Article 45, Chapter 3, Title 56 of the 1976 Code is amended to read:

“Article 45

South Carolina Wildlife License Plates

Section 56‑3‑4510. (A) The Department of Motor Vehicles shall issue a series of special commemorative motor vehicle license plates for use by the owner on his private passenger motor vehicle for the purposes of the ‘Nongame Wildlife and Natural Areas Fund’ provided in Section 50‑1‑280. The special fee for the commemorative license plate is thirty dollars and this amount must be placed in the fund. This fee is in addition to the regular motor vehicle registration fee set forth in Article 5, Chapter 3 of Title 56. The commemorative plate must be of the same size and general design of regular motor vehicle license plates and must be imprinted with the words ‘South Carolina Protects Endangered Species’. The plates must be issued or revalidated for a biennial period, which expires twenty‑four months from the month they are issued. Once the plate supply is exhausted, any revenues derived from a renewal or transfer of a ‘South Carolina Protects Endangered Species’ plate must be distributed as directed in this subsection.

(B) The department shall issue a collection of special motor vehicle license plates to owners of private passenger carrying motor vehicles and motorcycles. The fee for each special license plate is thirty dollars every two years in addition to the regular motor vehicle license fee set forth in Article 5, Chapter 3 of this title. Each special license plate must be of the same size and general design of regular motor vehicle license plates, and must be imprinted with the words ‘South Carolina Wildlife’. Each special license plate must be issued or revalidated for a biennial period which expires twenty‑four months from the month the special license plate is issued.

(C) Of the fees collected pursuant to this section, the Comptroller General shall place sufficient funds into a special restricted account to be used by the Department of Motor Vehicles to defray the expenses of the department in producing and administering this special license plate collection. The remaining funds collected from each special motor vehicle license plate fee must be deposited in the Game Protection Fund provided for in Title 50.

(D) The department simultaneously may make available more than one special license plate. However, before the department produces and distributes a special license plate with the South Carolina Wildlife collection pursuant to this section, it must comply with the provisions contained in Section 56‑3‑8100.”

B. The name of the “Game Protection Fund” as contained in Title 50 is hereby changed to the “Fish and Wildlife Protection Fund”. Wherever the term “Game Protection Fund” appears in the 1976 Code, it shall mean the “Fish and Wildlife Protection Fund” and the Code Commissioner is directed to change this reference at a time and in a manner that is timely and cost effective.

**Gold Star Family Special License Plates**

SECTION 3. Section 56‑3‑9910 of the 1976 Code, as last amended by Act 347 of 2008, is further amended to read:

“Section 56‑3‑9910. (A) The Department of Motor Vehicles may issue ‘Gold Star Family’ special license plates to owners of private passenger motor vehicles, as defined in Section 56‑3‑630, registered in the names of members of the immediate family of United States armed forces killed in action. There is no fee for this special license plate. The license plates issued pursuant to this section must conform to a design agreed to by the department and the chief executive officer of the South Carolina Chapter of American Gold Star Mothers, Inc. or other similar organization operating in this State.

(B) Notwithstanding another provision of law, the provisions contained in Section 56‑3‑8000(B) and (C) do not apply to the production and distribution of ‘Gold Star Family’ special license plates.

(C) For the purposes of this section, ‘members of the immediate family’ means a person who is a parent, spouse, sibling, or child of an armed forces member killed in action. Each qualifying person is entitled to a limit of two ‘Gold Star Family’ special license plates.”

**Recycling Special License Plates**

SECTION 4. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“Article 79

Recycling Special License Plates

Section 56‑3‑7940. (A) The Department of Motor Vehicles may issue special motor vehicle license plates to owners of private passenger carrying motor vehicles, as defined in Section 56‑3‑630, or motorcycles registered in their names which shall have imprinted on the plate ‘Reduce, Reuse, Recycle’ and the recycling logo. The Carolina Recycling Association shall submit to the department for its approval a design it desires to be used for this special license plate. The Carolina Recycling Association may request a change in the design not more than once every five years. The fee for this special license plate is thirty dollars every two years in addition to the regular motor vehicle registration fee set forth in Article 5, Chapter 3, Title 56. This special license plate must be of the same size and general design of regular motor vehicle license plates. This special license plate must be issued or revalidated for a biennial period which expires twenty‑four months from the month it is issued.

(B) The fees collected pursuant to this section above the cost of the regular motor vehicle registration fee must be distributed to the Carolina Recycling Association to promote the growth of the South Carolina recycling industry.

(C) The guidelines for the production of a special license plate under this section must meet the requirements of Section 56‑3‑8100.”

**Time effective**

SECTION 5. This act takes effect upon approval by the Governor.

Ratified the 27th day of May, 2009.

Vetoed by the Governor -- 6/2/09.

Veto overridden by House -- 6/16/09.

Veto overridden by Senate -- 6/16/09.

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