**South Carolina General Assembly**

119th Session, 2011-2012

**H. 3443**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Erickson, Patrick, Herbkersman, Daning and Long

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Introduced in the House on January 25, 2011

Currently residing in the House Committee on **Judiciary**

Summary: Traffic tickets

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/25/2011 House Introduced and read first time ([House Journal‑page 51](file:///h:\hj%20archive\2011\01-25-11.docx))

1/25/2011 House Referred to Committee on **Judiciary** ([House Journal‑page 51](file:///h:\hj%20archive\2011\01-25-11.docx))

**VERSIONS OF THIS BILL**

[1/25/2011](file:///p:\pprever\2011-12\3443_20110125.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56‑5‑1630 SO AS TO PROVIDE THAT CITATIONS FOR SPEEDING OR TRAFFIC CONTROL DEVISE VIOLATIONS MAY BE BASED ON A COMBINATION OF PHOTOGRAPHIC AND RADAR EVIDENCE; AND TO AMEND SECTION 56‑5‑70, AS AMENDED, RELATING TO THE SUSPENSION OF CERTAIN VEHICLE REQUIREMENTS DURING A STATE OF EMERGENCY, SO AS TO DELETE THE PROVISION THAT ALLOWS THE ISSUANCE OF CITATIONS FOR VIOLATING TRAFFIC LAWS RELATING TO SPEEDING OR DISREGARDING TRAFFIC CONTROL DEVICES BASED SOLELY ON PHOTOGRAPHIC EVIDENCE.

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

SECTION 1. Article 11, Chapter 5, Title 56 of the 1976 Code is amended by adding:

“Section 56‑5‑1630. Citations for violating traffic laws relating to speeding or traffic control devises may be based on a combination of photographic and radar evidence. A citation issued based in part on photographic evidence requires the presence of a law enforcement officer at the time the evidence is obtained. Citations may be subsequently served by registered mail.”

SECTION 2. Section 56‑5‑70(E) of the 1976 Code, as last amended by Act 250 of 2010, is further amended to read:

“~~(E)~~ ~~Citations for violating traffic laws relating to speeding or disregarding traffic control devices based solely on photographic evidence only may be issued for violations that occur while relief from regulations pursuant to 49 C.F.R. 390.23 has been granted due to an emergency. A person who receives a citation for violating traffic laws relating to speeding or disregarding traffic control devices based solely on photographic evidence must be served in person with notice of the violation within one hour of the occurrence of the violation. The provisions of this subsection do not apply to toll collection enforcement.~~”

SECTION 3. This act takes effect upon approval by the Governor.

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