COMMITTEE REPORT

January 31, 2013

**H. 3033**

Introduced by Rep. G.M. Smith

S. Printed 1/31/13--H.

Read the first time January 8, 2013.

**THE COMMITTEE ON EDUCATION AND PUBLIC WORKS**

To whom was referred a Bill (H. 3033) to amend the Code of Laws of South Carolina, 1976, by adding Article 132 to Chapter 3 of Title 56 so as to provide that the Department of Motor Vehicles may issue, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

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

“Article 132

Special License Plates for Recipients of the Distinguished Flying Cross

Section 56‑3‑13210. (A) The Department of Motor Vehicles may issue a special motor vehicle license plate to a recipient of the Distinguished Flying Cross. The biennial fee for the special license plate is the same as the fee provided for in Section 56‑3‑2020 plus the regular registration fee contained in Article 5, Chapter 3, and only one plate may be issued to a person. The application for a special plate must include proof that the applicant is a recipient of the Distinguished Flying Cross.

(B) The special license plates must be of the same size as regular motor vehicle license plates, upon which must be imprinted on the left side of the plates the distinctive Distinguished Flying Cross insignia with numbers and designs determined by the department. The license plate must be issued for a biannual period which shall expire twenty‑four months from the month in which the special license plate is issued.

(C) A license plate issued pursuant to this article may be transferred to another vehicle of the same weight class owned by the same person upon application being made and approved by the department. It is unlawful for a person to whom the special plate has been issued to knowingly permit it to be displayed on any vehicle except the one authorized by the department.

(D) This special license plate is exempt from the provisions contained in Section 56-3-8100, except that the department may retain its cost for the license plate from the special license plate fee authorized in subsection (A). The department also may require, if necessary, that written authorization be provided to the department to use a logo, trademark, or design that is a copyrighted or registered emblem, seal, or other symbol to be used to appear on the license plate.

(E) The provisions of this article do not affect the registration and licensing of motor vehicles as required by other provisions of this chapter but are cumulative to them. A person who violates the provisions of this article or who:

(1) fraudulently gives false or fictitious information in an application for a special license plate authorized in this article;

(2) conceals a material fact; or

(3) otherwise commits a fraud in an application or in the use of a special license plate issued is guilty of a misdemeanor and, upon conviction, must be punished by a fine of not more than one hundred dollars or by imprisonment for not more than thirty days.”

SECTION 2. This act takes effect three months after its approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

PHILLIP D. OWENS for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

Minimal (Some additional costs expected but can be absorbed)

**EXPLANATION OF IMPACT:**

The Department of Motor Vehicles indicates there will be no fiscal impact to the General Fund of the State; however there will be a minimal impact to the agency in other funds which the agency can absorb at their current level of funding.

*Approved By:*

Brenda Hart

Office of State Budget

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 132 TO CHAPTER 3 OF TITLE 56 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE SPECIAL LICENSE PLATES TO RECIPIENTS OF THE DISTINGUISHED FLYING CROSS.

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

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

“Article 132

Special License Plates for Recipients of the Distinguished Flying Cross

Section 56‑3‑13210. (A) The Department of Motor Vehicles may issue a special motor vehicle license plate to a recipient of the Distinguished Flying Cross. The annual fee for the special license plate is the same as the fee provided for in Section 56‑3‑2020 and only one plate may be issued to a person. The application for a special plate must include proof that the applicant is a recipient of the Distinguished Flying Cross.

(B) The special license plates must be of the same size as regular motor vehicle license plates, upon which must be imprinted on the left side of the plates the distinctive Distinguished Flying Cross insignia with numbers and designs determined by the department. The license plate must be issued for a biannual period which shall expire twenty‑four months from the month in which the special license plate is issued.

(C) A license plate issued pursuant to this article may be transferred to another vehicle of the same weight class owned by the same person upon application being made and approved by the department. It is unlawful for a person to whom the special plate has been issued to knowingly permit it to be displayed on any vehicle except the one authorized by the department.

(D) The provisions of this article do not affect the registration and licensing of motor vehicles as required by other provisions of this chapter but are cumulative to them. A person who violates the provisions of this article or who:

(1) fraudulently gives false or fictitious information in an application for a special license plate authorized in this article;

(2) conceals a material fact; or

(3) otherwise commits a fraud in an application or in the use of a special license plate issued is guilty of a misdemeanor and, upon conviction, must be punished by a fine of not more than one hundred dollars or by imprisonment for not more than thirty days.”

SECTION 2. This act takes effect upon approval by the Governor.

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