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COMMITTEE AMENDMENT ADOPTED AND AMENDED

May 11, 2016

**H. 3927**

Introduced by Reps. Willis and Allison

S. Printed 5/11/16--S. [SEC 5/12/16 12:57 PM]

Read the first time April 29, 2015.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 137 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE SPECIAL PERSONALIZED MOTOR VEHICLE LICENSE PLATES; AND TO AMEND SECTION 56‑3‑2250, RELATING TO THE ISSUANCE OF SAMPLE LICENSE PLATES BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO DELETE THE PROVISION THAT PROVIDES THAT IT IS UNLAWFUL TO DISPLAY A SAMPLE LICENSE PLATE ON A MOTOR VEHICLE AND THE PENALTY ASSOCIATED WITH THIS CRIME, TO PROVIDE THAT THE DEPARTMENT MAY RETAIN THE FEE THAT IS CHARGED FOR THE ISSUANCE OF THIS LICENSE PLATE, TO PROVIDE THAT THIS DEPARTMENT MAY ISSUE SOUVENIR LICENSE PLATES FOR ANY SPECIAL ORGANIZATIONAL LICENSE PLATE THAT IT PRODUCES, AND PERSONALIZED SPECIAL ORGANIZATIONAL SOUVENIR LICENSE PLATES FOR A FEE, TO PROVIDE FOR THE DISBURSEMENT OF THE FEES, TO PROVIDE THAT THESE LICENSE PLATES MAY BE DISPLAYED ONLY ON THE FRONT OF A MOTOR VEHICLE, AND TO PROVIDE A PENALTY FOR A VIOLATION OF THIS PROVISION.

Amend Title To Conform

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 137

Special Personalized Motor Vehicle License Plates

Section 56‑3‑13700. (A) The department may issue special personalized motor vehicle license plates to owners of private passenger motor vehicles as defined in Section 56‑3‑630, and motorcycles as defined in Section 56‑3‑20, registered in their names for any special organizational plate authorized pursuant to Section 56‑3‑8000, Section 56‑3‑8100, or any other organizational plate authorized by law. In order for a specialized license plate to be personalized, the sponsoring organization, if there is one, must agree to make the license plate available for personalization. The person requesting the special personalized license plate must meet all of the requirements to obtain the specialty license plate.

(B) The fee for all special personalized organizational license plates created pursuant to this section is the regular biennial registration fee set forth in Article 5, Chapter 3 of this title plus an additional biennial personalization fee of thirty dollars, in addition to any special fee associated with the selected plate design. The Comptroller General shall place twenty dollars of the special personalized organizational license plate fee in a special restricted account to be used by the department to defray the expenses of the department. The remaining ten dollars of the personalization fee must be distributed to the sponsoring organization. The department may not refund the fee once the personalized license plate has been manufactured.

(C) The license plate design must be identical to the design approved by the department for the organizational license plate, but the license plate will bear the requested number or letter combination subject to approval by the department. There may be no duplication of registration license plate letter or number combinations. The department, in its discretion, may refuse the issue of letter or number combinations which may carry connotations offensive to good taste and decency.”

SECTION 2. Section 56‑3‑2250 of the 1976 Code is amended to read:

“Section 56‑3‑2250. (A) The Department of Motor Vehicles may provide, upon request, a sample motor vehicle license plate ~~which shall not be displayed on any vehicle registered or required to be registered in this State. Any person displaying such plate is guilty of a misdemeanor and, upon conviction, must be fined not more than one hundred dollars or be imprisoned for not more than thirty days~~. The license plate shall be of the same size and general design of regular motor vehicle license plates ~~and the~~. The fee for issuance of such license plate shall be ten dollars. ~~Provided, that the word ‘sample’ shall be imprinted on the license plate.~~ The department may retain the ten dollar fee to recoup its cost for producing the license plate.

(B)(1) The department is authorized to produce, upon request, souvenir license plates for any special organizational license plate produced pursuant to Section 56‑3‑8000 or Section 56‑3‑8100 or any other special organizational license plate authorized by law. In order for a special organizational license plate to be available as a souvenir license plate, the sponsoring organization, if there is one, must agree to make the license plate available as a souvenir license plate.

(2) The fee for the special organizational souvenir license plate is twenty dollars. Ten dollars of this fee shall be retained by the department as specified in subsection (A), and the additional ten dollars shall be distributed to the sponsoring organization.

(C) The department shall determine the method to designate the sample and souvenir license plates described in this section.

(D)(1) An individual may apply for a personalized special organizational souvenir license plate with a license plate text to be selected by the applicant in a letter and numeral plate text format the department prescribes. The department, in its discretion, may refuse the issuance of letter or number combinations which may carry connotations offensive to good taste and decency.

(2) In order for a special organizational license plate to be available as a personalized souvenir license plate, the sponsoring organization, if there is one, must agree to make the license plate available as a souvenir license plate.

(3) The fee for the license plate contained in this subsection is thirty dollars. Twenty dollars of this fee shall be retained by the department to defray the expenses of the department. Ten dollars of this fee shall be distributed to the organization described in subsection (B).

(E) These sample or souvenir license plates may be displayed only on the front of private passenger motor vehicles as defined in Section 56‑3‑630 or as otherwise allowed by law in the owner’s home state and shall not be displayed on the back of any vehicle registered or required to be registered in this State or as otherwise allowed by law in the owner’s home state.

(F) Any person displaying a license plate in violation of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than one hundred dollars or imprisoned for not more than thirty days for each violation.”

SECTION 3. Section 56‑3‑7360 of the 1976 Code, as last amended by Act 253 of 2012, is further amended to read:

“Section 56‑3‑7360. The Department of Motor Vehicles may issue ‘Korean War Veterans’ special license plates to owners of private passenger motor vehicles and motorcycles registered in their names who are Korean War Veterans who served on active duty at anytime during the Korean War. The applicant must present the department with a DD214 or other official documentation that states that he served on active duty upon initial application for this special license plate. ~~The requirements for production and distribution of the plate are those set forth in Section 56‑3‑8100. The biennial fee for this plate is the regular registration fee set forth in Article 5, Chapter 3 of this title plus an additional fee of twenty dollars. Any portion of the additional twenty‑dollar fee not set aside by the Comptroller General to defray costs of production and distribution must be distributed to the state general fund.~~ There is no fee for this special license plate.”

SECTION 4. Section 56‑3‑10610(A) of the 1976 Code, as added by Act 297 of 2008, is amended to read:

“(A) The Department of Motor Vehicles may issue ‘Silver Star’ special license plates to owners of private passenger carrying motor vehicles, as defined in Section 56‑3‑630, or motorcycles as defined in Section 56‑3‑20, registered in their names who have been awarded the Silver Star. The motor vehicle owner must present the department with a DD214, or other official documentation that states that the owner received the Silver Star, along with the owner’s application for this special license plate. The fee for this special license plate is the regular motor vehicle license fee contained in Article 5, Chapter 3 of this title. The license plates issued pursuant to this section must contain the words ‘combat veteran’ and an illustration of the Silver Star.”

SECTION 5. Section 56‑3‑10710(A) of the 1976 Code, as added by Act 297 of 2008, is amended to read:

“(A) The Department of Motor Vehicles may issue ‘Bronze Star’ special license plates to owners of private passenger carrying motor vehicles, as defined in Section 56‑3‑630, or motorcycles as defined in Section 56‑3‑20, registered in their names who have been awarded the Bronze Star. The motor vehicle owner must present the department with a DD214, or other official documentation that states that the owner received the Bronze Star, along with the owner’s application for this special license plate. The fee for this special license plate is the regular motor vehicle license fee contained in Article 5, Chapter 3 of this title. The license plates issued pursuant to this section must contain the words ‘combat veteran’ and an illustration of the Bronze Star.”

SECTION 6. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“Article 138

Chase Away Childhood Cancer Special License Plates

Section 56‑3‑13810. (A) The Department of Motor Vehicles may issue ‘Chase Away Childhood Cancer’ motor vehicle license plates to owners of private passenger carrying motor vehicles, as defined in Section 56‑3‑630 and motorcycles as defined in Section 56‑3‑20 registered in their names. The fee for this special license plate is fifty dollars every two years in addition to the regular motor vehicle registration fee contained in Article 5, Chapter 3, Title 56. This special license plate must be of the same size and shape 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 producing the license plates must be distributed to Chase After a Cure.

(C) The requirements for production, collection, and distribution of fees for this license plate are those set forth in Section 56‑3‑8100.”

SECTION 7. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 8. This act takes effect twelve months after approval by the Governor.

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