**South Carolina General Assembly**

122nd Session, 2017-2018

**H. 3580**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Thayer, Herbkersman, Erickson, Jefferson, Williams, Govan, Felder, Henegan, Yow, Long, Hosey, Anthony, Bales, Spires, Willis, Allison, Arrington, Cogswell, Weeks, Norman, Chumley, Martin, Burns, Clary, Loftis, Johnson, Bedingfield, McCravy, Collins, Bennett, Blackwell, Clemmons, Crawford, Hamilton, Henderson, Hiott, Hixon, Lowe, D.C. Moss, V.S. Moss, B. Newton, W. Newton, Pitts, Pope, S. Rivers, Sandifer, G.M. Smith, G.R. Smith, Toole, Whitmire and Elliott

Document Path: l:\council\bills\gt\5253cm17.docx

Companion/Similar bill(s): 198, 300, 3242, 3322

Introduced in the House on January 25, 2017

Currently residing in the House Committee on **Education and Public Works**

Summary: Driver's license for minors

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/25/2017 House Introduced and read first time ([House Journal‑page 17](file:///h:\hj\20170125.docx))

1/25/2017 House Referred to Committee on **Education and Public Works** ([House Journal‑page 17](file:///h:\hj\20170125.docx))

2/15/2017 House Member(s) request name added as sponsor: Elliott

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**VERSIONS OF THIS BILL**

[1/25/2017](file:///p:\pprever\2017-18\3580_20170125.docx)

**A** **BILL**

TO AMEND SECTION 56‑1‑100, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS WHO MAY SIGN AN APPLICATION OF AN UNEMANCIPATED MINOR FOR A BEGINNER’S PERMIT, INSTRUCTION PERMIT, OR DRIVER’S LICENSE, SO AS TO PROVIDE FOR ADDITIONAL PERSONS WHO MAY SIGN THE APPLICATION, AND TO PROVIDE THAT THE PERSON MUST SIGN THE APPLICATION IN THE PRESENCE OF AN EMPLOYEE OF THE DEPARTMENT OF MOTOR VEHICLES.

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

SECTION 1. Section 56‑1‑100 of the 1976 Code is amended to read:

“Section 56‑1‑100. (A) The application of an unemancipated minor for a beginner’s permit, ~~instruction permit,~~ or driver’s license must be signed ~~and verified before a person authorized to administer oaths by the father, mother, or guardian or, for all other minors, by a responsible adult who is willing to assume the obligation imposed under this article upon a person signing the application of a minor. Upon the extension of a permit pursuant to Section 56‑1‑50, authorization by the father, mother, guardian, or a responsible adult is not required~~ in the presence of an employee of the South Carolina Department of Motor Vehicles at the time of application by:

(1) the father;

(2) the mother;

(3) stepparent;

(4) the guardian;

(5) an individual who has custody, care, and control of the minor;

(6) any person set forth in section (C)(3), below, if written approval has been provided by the Department of Social Services;

(7) any person who has been standing in loco parentis of a minor for a continuous period of not less than sixty days; or

(8) any responsible adult who is willing to assume the obligation imposed under this article. The responsible adult must have written permission from a person listed in items (1) through (7), signed and verified before a person authorized to administer oaths.

(B) The application of an emancipated minor for a beginner’s permit or driver’s license must be signed in the presence of an employee of the South Carolina Department of Motor Vehicles at the time of application by a responsible adult who is willing to assume the obligation imposed under this article.

(C) If the Department of Social Services has guardianship or legal custody of the minor, the application may be signed by:

(1) the father;

(2) the mother;

(3) the foster parent, preadoptive parent, or person responsible for the welfare of a child who resides in a child care facility or residential group care home, if written approval has been provided by the Department of Social Services. Written approval from the Department of Social Services also must be obtained prior to the request for an extension of a permit pursuant to Section 56‑1‑50 and provided to the Department of Motor Vehicles at the time of the signing of the application. The disclosure of information by the Department of Social Services in order to provide approval for the limited purpose of this code section shall not be a violation of Section 63‑7‑1990 or any other section of the Children’s Code governing the dissemination of confidential information.

(D) Except as set forth in subsection (C)(3), upon the request of a permit pursuant to Section 56‑1‑50, authorization by the person who originally signed the application under subsection (A), (B), or (C) is not required.”

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

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