**South Carolina General Assembly**

123rd Session, 2019-2020

**H. 3776**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Clemmons

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Companion/Similar bill(s): 3952

Introduced in the House on January 29, 2019

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

Summary: Unmanned aerial vehicles

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/29/2019 House Introduced and read first time ([House Journal‑page 13](file:///h:\hj\20190129.docx))

1/29/2019 House Referred to Committee on **Education and Public Works** ([House Journal‑page 13](file:///h:\hj\20190129.docx))

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**VERSIONS OF THIS BILL**

[1/29/2019](file:///p:\pprever\2019-20\3776_20190129.docx)

**A** **BILL**

TO AMEND SECTION 56‑2‑105, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REGISTRATION OF GOLF CARTS AND THE ISSUANCE OF GOLF CART PERMITS BY THE DEPARTMENT OF MOTOR VEHICLES, AND THE OPERATION OF GOLF CARTS ALONG THE STATE’S HIGHWAYS, SO AS TO PROVIDE THAT A LOCAL GOVERNMENTAL BODY MAY REGULATE AN ENTITY OFFERING GOLF CARTS FOR RENT OR LEASE WITHIN ITS JURISDICTION UNDER CERTAIN CIRCUMSTANCES; BY ADDING SECTION 56‑2‑3110 SO AS TO PROVIDE THAT A LOCAL GOVERNMENTAL BODY MAY REGULATE AN ENTITY OFFERING MOPEDS FOR RENT OR LEASE WITHIN ITS JURISDICTION UNDER CERTAIN CIRCUMSTANCES; AND BY ADDING SECTION 16‑11‑605 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR CERTAIN PERSONS TO OPERATE AN UNMANNED AERIAL VEHICLE IN CERTAIN AREAS, AND TO PROVIDE A PENALTY.

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

SECTION 1. Section 56‑2‑105(F)(4) of the 1975 Code is amended to read:

“(4)(a) A political subdivision may not reduce or otherwise amend the other restrictions placed on the operation of a permitted golf cart contained in this section.

(b) Notwithstanding the provisions of this item, a county in the unincorporated areas of the county or a municipality within its corporate limits may by ordinance regulate a person or entity offering golf carts for rental or lease on an hourly, daily, weekly, or monthly basis that operate upon the public streets and highways within the jurisdiction. However, this ordinance is limited to the use of safety devices and the geographic area, distance, identification of the vehicles, and specified public roadways on which the rented or leased golf carts may operate. Nothing in this ordinance may conflict with or exceed existing limitations of state law.”

SECTION 2. Article 3, Chapter 2, Title 56 of the 1976 Code is amended by adding:

“Section 56‑2‑3110. A county in the unincorporated areas of the county or a municipality within its corporate limits may by ordinance regulate a person or entity offering mopeds for rental or lease on an hourly, daily, weekly, or monthly basis that operate upon the public streets and highways within its jurisdiction. However, this ordinance is limited to the use of safety devices and the geographic area, distance, identification of the vehicles, and specified public roadways on which the rented or leased mopeds may operate. Nothing in this ordinance may conflict with or exceed existing limitations of state law.”

SECTION 3. Article 7, Chapter 11, Title 16 of the 1976 Code is amended by adding:

“Section 16‑11‑605. (A) Except as provided in subsection (B), a person shall not operate an unmanned aerial vehicle within a horizontal distance of five hundred feet or a vertical distance of four hundred feet from a state or federal military installation with restricted public access without written consent from the commander of the specific military installation or his designee. If specific approvals have been given, all flights must be conducted within the requirements set forth by the Federal Aviation Administration for the operations of unmanned aerial vehicles.

(B) This section does not apply to any person who: registers with the Federal Aviation Administration as an operator of a commercial unmanned aerial vehicle; operates the vehicle for the purpose of monitoring, operating, maintaining, or enhancing electric, communications, water conveyance, or transportation infrastructure or determining if repairs to such infrastructure are necessary; and notifies the commander of the specific military installation prior to operating the vehicle, provided that the notification must include the registration number the Federal Aviation Administration has issued for the vehicle.

(C) A person who violates this section is guilty of a misdemeanor and, upon conviction, shall be fined not more than five hundred dollars or imprisoned for not more than thirty days.”

SECTION 4. 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 5. This act takes effect upon approval by the Governor.

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