**South Carolina General Assembly**

123rd Session, 2019-2020

**H. 4942**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Tallon, Rose, Allison, Hyde and Long

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Introduced in the House on January 15, 2020

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

Summary: Driver's license; surrendered

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/15/2020 House Introduced and read first time ([House Journal‑page 74](file:///h:\hj\20200115.docx))

1/15/2020 House Referred to Committee on **Judiciary** ([House Journal‑page 74](file:///h:\hj\20200115.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=4942&session=123&summary=B) at the website

**VERSIONS OF THIS BILL**

[1/15/2020](file:///p:\pprever\2019-20\4942_20200115.docx)

**A** **BILL**

TO AMEND SECTION 56‑1‑365, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A PERSON WHO IS CONVICTED OF AN OFFENSE THAT REQUIRES HIM TO SURRENDER HIS DRIVER’S LICENSE, SO AS TO REQUIRE THE COURT TO ELECTRONICALLY TRANSMIT CERTAIN DOCUMENTS RELATED TO THE CONVICTION TO THE DEPARTMENT OF MOTOR VEHICLES, AND TO REVISE THE PENALTY FOR A VIOLATION OF THE PROVISION; TO AMEND SECTION 56‑5‑6230, RELATING TO THE COURT NOTIFYING THE DEPARTMENT OF MOTOR VEHICLES OF THE CONVICTION OF A PERSON CHARGED WITH A TRAFFIC VIOLATION, SO AS TO PROVIDE THE NOTIFICATION MUST BE DONE ELECTRONICALLY WITHIN FIVE DAYS OF PAYMENT OF A FINE OR FORFEITURE OF BOND PREVIOUSLY POSTED; AND TO AMEND SECTION 56‑25‑20, RELATING TO THE SUSPENSION OF A DRIVER’S LICENSE FOR FAILURE TO COMPLY WITH A TRAFFIC CITATION OR A LITTER VIOLATION BY A COURT OR DRIVER LICENSING AUTHORITY, SO AS TO PROVIDE THE NOTIFICATION OF THE SUSPENSION MUST BE TRANSMITTED TO THE DEPARTMENT OF MOTOR VEHICLES ELECTRONICALLY UNDER CERTAIN CIRCUMSTANCES.

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

SECTION 1. Section 56‑1‑365(B) of the 1976 Code is amended to read:

“(B) The Department of Motor Vehicles shall electronically receive disposition and license surrender information from the clerk of court or magistrate immediately after receipt. Along with the driver’s license surrender information, the clerks and magistrates must ~~give the department’s agents~~ electronically transmit to the department tickets, arrest warrants, and other documents or copies of them, ~~including any reinstatement fee paid at the time of the verdict, guilty plea, or plea of nolo contendere,~~ as necessary for the department to process the revocation or suspension of the licenses~~. If the department does not collect the license surrender information and disposition immediately, the magistrate or clerk must forward the license surrender information, disposition, and other documentation to the department~~ within five business days after receipt. A clerk or magistrate who wilfully fails or neglects to forward the driver’s license surrender information and disposition as required in this section is l~~iable to indictment~~ guilty of a misdemeanor and, upon conviction, must be fined not exceeding five hundred dollars.”

SECTION 2. Section 56‑5‑6230 of the 1976 Code is amended to read:

“Section 56‑5‑6230. Any ~~magistrate’s~~ magistrates court, municipal court, or other court of competent jurisdiction must notify the Department of Motor Vehicles electronically when any person charged with a traffic violation in such court, upon conviction, or other plea has paid the fine therefor, or forfeited the bond previously posted within five business days of the payment or forfeiture.”

SECTION 3. Section 56‑25‑20 of the 1976 Code is amended to read:

“Section 56‑25‑20. When a South Carolina court or the driver licensing authority of a compact jurisdiction notifies the Department of Motor Vehicles that a resident of South Carolina or person possessing a valid South Carolina driver’s license has failed to comply with the terms of a traffic citation or an official Department of Natural Resources summons for a littering violation issued in this or any compact jurisdiction, the department may suspend or refuse to renew the person’s driver’s license if the notice from a South Carolina court or the driver licensing authority of a compact jurisdiction is received no more than twelve months from the date on which the traffic citation or an official Department of Natural Resources summons for a littering violation was issued or adjudicated. Notification to the Department of Motor Vehicles must be done electronically pursuant to the Department of Motor Vehicles’standard, except in extraordinary circumstances. The license must remain suspended until satisfactory evidence has been furnished to the department of compliance with the terms of the citation or an official Department of Natural Resources summons for a littering violation and any further order of the court having jurisdiction in the matter and until a reinstatement fee as provided in Section 56‑1‑390 is paid to the department. A person whose license is suspended under this section is not required to file proof of financial responsibility as required by the Financial Responsibility Act (Chapter 9 ~~of~~ ,Title 56) as a condition for reinstatement.

Upon notification by a South Carolina court that a nonresident licensed in a compact jurisdiction has failed to comply with the terms of a traffic citation or an official Department of Natural Resources summons for a littering violation, the department shall notify the licensing authority in the compact jurisdiction for such action as appropriate under the terms of the compacts.”

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

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