**South Carolina General Assembly**

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**H. 4185**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Erickson and Gilliam

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Introduced in the House on March 28, 2023

Currently residing in the House

Summary: Driver training

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

3/28/2023 House Introduced and read first time ([House Journal‑page 29](h:\hj\20230328.docx))

3/28/2023 House Referred to Committee on **Education and Public Works** ([House Journal‑page 29](h:\hj\20230328.docx))

3/29/2023 Scrivener's error corrected

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**VERSIONS OF THIS BILL**

[03/28/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/4185_20230328.docx)

[03/29/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/4185_20230329.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56‑23‑60, RELATING TO MINIMUM STANDARDS AND CONDITIONS OF OPERATION FOR driver training SCHOOLS and INSPECTION OF SCHOOLS, SO AS TO REPLACE THE TERM “DEFENSIVE DRIVING course” WITH THE TERM “DRIVER TRAINING course”; BY ADDING SECTION 56‑23‑105 SO AS TO DEFINE THE TERM “CLASSROOM TRAINING”, to provide the components of online classroom training instruction, testing, and course completion; BY AMENDING SECTION 56‑1‑20, RELATING TO requiring persons to possess DRIVERS’ LICENSEs to drive motor vehicles and the SURRENDER AND DISPOSITION OF OUT‑OF‑STATE drivers’ LICENSES, so as to provide persons who possess out‑of‑state drivers’ licenses must surrender them within forty‑five days of becoming residents of this state before they can be issued south carolina drivers’ licenses; BY AMENDING SECTION 56‑1‑220, RELATING TO VISION SCREENINGS REQUIRED FOR issuance of INITIAL and renewal drivers’ LICENSEs, so as to provide this provision does not apply to persons who are otherwise exempted, to extend the period for which the date of a certificate of vision examination may be accepted by the department of motor vehicles, and to provide certain members of the armed services are exempt from the requirements of this section; AND BY AMENDING SECTION 56‑23‑40, RELATING TO LICENSE FEES imposed on driver training schools, the EXPIRATION OF LICENSEs, and REQUIRing driver training schools to obtain CORPORATE surety BONDs, so as to increase the license fee and revise the license expiration date.

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

SECTION 1. Section 56‑23‑60 of the S.C. Code is amended to read:

Section 56‑23‑60. The Department of Motor Vehicles may establish minimum standards for the operation of driver training schools authorized to be licensed under the provisions of this chapter and prescribe conditions of operation of the schools. The minimum standards must include, but are not limited to, a requirement that driver training schools have or have access to sufficient facilities and equipment to conduct an eight‑hour defensive driving driver training course for a minimum of ten students. All activities and operations of licensed driver training schools are at all times subject to inspection or examination by authorized representatives of the department. In addition, records of these activities and operations must be made available at the permanent location in this State for review by the department upon its request.

SECTION 2. Chapter 23, Title 56 of the S.C. Code is amended by adding:

Section 56‑23‑105. For purposes of this chapter, “classroom training” means either in‑person, virtual, or remote online training. The online classroom training must utilize a student username and password, measure the amount of time the student spends in the course, provide technical support to students that is available twenty‑four hours per day, seven days per week, utilize personal validation questions which appear periodically throughout the entire course, have measures in place that prevent a student from completing more than four hours of instruction in a calendar day, and provide a final examination at the completion of the program. A passing score of eighty percent or higher is required. Students may take up to three attempts to pass the online test to successfully complete the course.

SECTION 3. Section 56‑1‑20 of the S.C. Code is amended to read:

Section 56‑1‑20. No person, except those expressly exempted in this article shall drive any motor vehicle upon a highway in this State unless such person has a valid motor vehicle driver’s license issued to him under the provisions of this article. No person shall receive a motor vehicle driver’s license unless and until he surrenders to the Department of Motor Vehicles all valid operator’s licenses in his possession issued to him by any other state within forty‑five days of becoming a resident of this State, unless specifically exempted by law. All surrendered licenses shall be returned by the department to the issuing department, agency or political subdivision. No person shall be permitted to have more than one valid motor vehicle driver’s license or operator's license at any time.

Any person holding a currently valid motor vehicle driver’s license issued under this article may exercise the privilege thereby granted upon all streets and highways in the State and shall not be required to obtain any other license to exercise such privilege by any county, municipal or local board or body having authority to adopt local police regulations; provided, however, that this provision shall not serve to prevent a county, municipal or local board from requiring persons to obtain additional licenses to operate taxis, buses, or other public conveyances.

SECTION 4. Section 56‑1‑220 of the S.C. Code is amended to read:

Section 56‑1‑220. (A) Unless otherwise exempted, the department shall require vision screening for all persons obtaining an initial license and upon license renewal. The vision screening must be offered by the department,; however, a person’s screening must be waived upon the submission of a certificate of vision examination dated within the previous ~~twelve~~thirty-six months from an ophthalmologist or optometrist licensed in any state.

(B) Active‑duty members of the Armed Services are exempt from the requirements of this section provided they provide the department with a Leave and Earning Statement dated within thirty‑one days of applying for or renewing their driver’s license and a nonexpired military identification card.

(C) The renewal license forms distributed by the department must be designed to contain a certification that the vision of the person screened meets the minimum standards required by the department or have been corrected to meet these requirements. The certification must be executed by the person conducting the screening. A Certificate of Vision Examination form must be executed by the certifying ophthalmologist or optometrist and must be transmitted to the department electronically pursuant to its electronic specifications. The minimum standards of the department shall not require a greater degree of vision than 20/40 corrected in one eye. Persons using bioptic lenses must adhere to the provisions contained in Section 56‑1‑222.

(C)(D) A person whose vision is corrected to meet the minimum standards shall have the correction noted on his driver’s license by the department.

(D)(E)It is unlawful for a person whose vision requires correction in order to meet the minimum standards of the department to drive a motor vehicle in this State without the use of the correction.

(E)(F) Unless otherwise provided in this section, any person violating the provisions 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.

SECTION 5. Section 56‑23‑40 of the S.C. Code is amended to read:

Section 56‑23‑40. The annual license fee for each driver training school licensed under the provisions of this chapter is fifty two hundred dollars. Prior to operation, each licensed driver training school also must obtain a corporate surety bond in the amount of ten thousand dollars. The bond must be given to the department and executed by the applicant as principal, and by a corporate surety company authorized to do business in this State as surety. The bond must be conditioned upon the applicant or licensee complying with the statutes applicable to the license and as indemnification for loss or damage suffered by a person having retained services of a driver training school. Licenses issued pursuant to this section expire on June thirtieth of the license year of issuethe last day of the month, forty‑eight months after the license is issued. The proceeds from the sale of driver training school licenses must be placed in the state general fund for the administration and enforcement of this chapter and title.

SECTION 6. This act takes effect one year after approval by the Governor.

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