**South Carolina General Assembly**

125th Session, 2023-2024

**H. 5023**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Brewer, Gilliam, Lawson, Sessions, Schuessler, Hager, Hartnett, Gatch, Mitchell, Hewitt, Robbins, J. Moore, Wooten, Guffey, O'Neal, J.L. Johnson, Pedalino and B. Newton

Companion/Similar bill(s): 1076

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Introduced in the House on February 1, 2024

Introduced in the Senate on March 27, 2024

Last Amended on April 18, 2024

Currently residing in the House

Summary: Work Zone Safety Program

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 2/1/2024 House Introduced and read first time (House Journal‑page 13)

 2/1/2024 House Referred to Committee on **Education and Public Works** (House Journal‑page 13)

 2/6/2024 House Member(s) request name added as sponsor: Guffey,
 O'Neal

 2/7/2024 House Member(s) request name added as sponsor: J.L.
 Johnson, Pedalino, B. Newton

 3/5/2024 House Member(s) request name removed as sponsor: Nutt

 3/21/2024 House Committee report: Favorable with amendment **Education and Public Works** (House Journal‑page 3)

 3/26/2024 House Amended (House Journal‑page 43)

 3/26/2024 House Read second time (House Journal‑page 43)

 3/26/2024 House Roll call Yeas-120 Nays-0 (House Journal‑page 44)

 3/27/2024 House Read third time and sent to Senate (House Journal‑page 16)

 3/27/2024 Senate Introduced and read first time (Senate Journal‑page 7)

 3/27/2024 Senate Referred to Committee on **Transportation** (Senate Journal‑page 7)

 3/27/2024 Scrivener's error corrected

 4/4/2024 Senate Committee report: Favorable **Transportation** (Senate Journal‑page 6)

 4/18/2024 Senate Amended (Senate Journal‑page 29)

 4/18/2024 Senate Read second time (Senate Journal‑page 29)

 4/18/2024 Senate Roll call Ayes-39 Nays-0 (Senate Journal‑page 29)

 4/25/2024 Senate Read third time and returned to House with amendments (Senate Journal‑page 18)

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=5023&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[02/01/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/5023_20240201.docx)

[03/21/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/5023_20240321.docx)

[03/26/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/5023_20240326.docx)

[03/27/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/5023_20240327.docx)

[04/04/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/5023_20240404.docx)

[04/18/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/5023_20240418.docx)

Indicates Matter Stricken

Indicates New Matter

Amended

April 18, 2024

H. 5023

Introduced by Reps. Brewer, Gilliam, Lawson, Sessions, Schuessler, Hager, Hartnett, Gatch, Mitchell, Hewitt, Robbins, J. Moore, Wooten, Guffey, O'Neal, J. L. Johnson, Pedalino and B. Newton

S. Printed 04/18/24--S.

Read the first time March 27, 2024

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A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 56-1-219 SO AS TO ESTABLISH the WORK ZONE PROGRAM WITHIN THE DEPARTMENT OF PUBLIC SAFETY; BY AMENDING SECTION 56-1-15, RELATING TO the ADMINISTRATION OF DRIVER’S LICENSE EXAMINATIONS, SO AS TO REQUIRE DRIVER’S LICENSE APPLICANTS COMPLETE THE WORK ZONE SAFETY PROGRAM COURSE; AND BY AMENDING SECTION 56-1-130, RELATING TO LICENSE EXAMINATIONS AND BASIC AND CLASSIFIED LICENSES, SO AS TO REQuIRE DRIVER’S LICENSE APPLICANTS COMPLETE THE WORK ZONE SAFETY PROGRAM COURSE.

 Amend Title To Conform

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

SECTION 1. Chapter 1, Title 56 of the S.C. Code is amended by adding:

 Section 56-1-219. The Department of Motor Vehicles shall establish a work zone safety program. The work zone safety program shall be designed to educate the motoring public on the dangers of committing moving violations while traveling in highway construction work zones. The department shall develop and house on its website an online work zone awareness presentation for all persons obtaining an initial license that includes, but is not limited to, facts and figures representing the dangers of motorists committing work zone moving violations, testimonials from highway construction workers and their families, information on the importance of awareness and slowing down in work zones, and a question-and-answer section to ensure participants understand and retain the information presented. The Department of Motor Vehicles is authorized to contract for the production, development, and maintenance of the webpage through a vendor. The department shall maintain in its database a record of those completing the program.

SECTION 2. Section 56-1-15 of the S.C. Code is amended to read:

 Section 56-1-15. (A) The Department of Motor Vehicles must enter into contracts with persons, corporations, or governmental subdivisions, including public schools, in localities throughout the State to administer the portion of the driver’s license examination that tests the driver’s license applicant’s ability to read and understand highway signs that regulate, warn, and direct traffic, and his knowledge of the traffic laws of the State, and the actual demonstration of his ability to exercise ordinary and reasonable control in the operation of the type of motor vehicle for which the license is sought as contained in Section 56-1-130(A). The department must supervise the provision of services contained in this subsection. The department must supply driver education instructors appropriate testing materials to administer the examinations contained in this section. A person or corporation administering an examination pursuant to this section may charge a fee in excess of the fee charged by the department for the examination.

 (B) The department must randomly test driver's license applicants who successfully complete the driver's license examinations pursuant to subsection (A) to ensure that the driver's license instructors are properly certifying that their students have successfully completed a driver's license examination.The department must require all persons obtaining an initial driver’s license, and who are required to complete a driver’s education course as defined in Section 56-1-175 or 56-1-180, to take the work zone safety program course as established in Section 56-1-219.

 (C) If through testing or other review procedures, the department determines that a contractor is not conforming to the law and regulations applicable to licensing, it may:

 (1) suspend the authority of a particular individual or entity operating under the contract to administer the tests;

 (2) suspend the contract;

 (3) cancel the contract.The department must randomly test driver’s license applicants who successfully complete the driver’s license examination pursuant to subsection (A) to ensure that the driver’s license instructors are properly certifying that their students have successfully completed a driver’s license examination.

 (D) The department must test randomly a driver's license applicant only at the time the applicant is seeking his initial driver's license at the Department of Motor Vehicles.If through testing or other review procedures, the department determines that a contractor is not conforming to the law and regulations applicable to licensing, it may:

 (1) suspend the authority of a particular individual or entity operating under the contract to

administer the tests;

 (2) suspend the contract;

 (3) cancel the contract.

 (E) The department must test randomly a driver's license applicant only at the time the applicant is seeking his initial driver’s license at the Department of Motor Vehicles.

SECTION 3. Section 56-1-130 of the S.C. Code is amended to read:

 Section 56-1-130. (A) The Department of Motor Vehicles shall examine every applicant for a driver's license, except as otherwise provided in this article. The examination shall include a test of the applicant's eyesight, his ability to read and understand highway signs regulating, warning, and directing traffic, and his knowledge of the traffic laws of this State and shall include an actual demonstration of ability to exercise ordinary and reasonable control in the operation of the type motor vehicle, including motorcycles, for which a license is sought. The department may require a further physical and mental examination as it considers necessary to determine the applicant's fitness to operate a motor vehicle upon the highways, the further examination to be at the applicant’s expense. The department shall make provisions for giving an examination in the county where the applicant resides. The department shall charge an appropriate fee for each complete examination or reexamination required in this article.

 (B) No persons, except those exempted under Section 56-1-30 and Section 56-1-60, or those holding beginner's permits under Section 56-1-50, shall operate any classification of motor vehicle without first being examined and duly licensed by the driver examiner as a qualified driver of that classification of motor vehicle. The department must require all persons obtaining an initial driver’s license, and who are required to complete a driver’s education course as defined in Section 56-1-175 or 56-1-180, to take the work zone safety program course as established in Section 56-1-219.

 (C)(1) A basic driver's license authorizes the licensee to operate motor vehicles, autocycles, motorcycle three-wheel vehicles, excluding a motorcycle with a detachable side car, or combinations of vehicles which do not exceed twenty-six thousand pounds gross vehicle weight rating; provided, that the driver has successfully demonstrated the ability to exercise ordinary and reasonable control in the operation of a motor vehicle in this category. A basic driver's license also authorizes the licensee to operate farm trucks provided for in Sections 56-3-670, 56-3-680, and 56-3-690, which are used exclusively by the owner for agricultural, horticultural, and dairying operations or livestock and poultry raising. Notwithstanding another provision of law, the holder of a conditional license, or special restricted license operating a farm truck for the purposes provided in this subsection, may operate the farm truck without an accompanying adult after six o'clock a.m. and no later than nine o'clock p.m., but may not operate a farm truck on a freeway. A person operating a farm truck while holding a conditional driver's license or a special restricted license may not use the farm truck for ordinary domestic purposes or general transportation.

 (2) A classified driver's license shall authorize the licensee to operate a motorcycle, motorcycle three-wheel vehicle, including a motorcycle with a detachable side car, or those vehicles in excess of twenty-six thousand pounds gross vehicle weight rating which are indicated by endorsement on the license. The endorsement may include classifications such as: motorcycle, two-axle truck, three- or more axle truck, combination of vehicles, motor busses, or oversize or overweight vehicles. The department shall determine from the driving demonstration the endorsements to be indicated on the license. No persons, except those exempted under Section 56-1-30 and Section 56-1-50(E), or those holding beginners’ permits under Section 56-1-50, shall operate any classification of motor vehicle without first being examined and duly licensed by the driver examiner as a qualified driver of that classification of motor vehicle.

 (D)(1) A basic driver’s license authorizes the licensee to operate motor vehicles, autocycles, motorcycle three-wheel vehicles, excluding a motorcycle with a detachable side car, or combinations of vehicles which do not exceed twenty-six thousand pounds gross vehicle weight rating; provided, that the driver has successfully demonstrated the ability to exercise ordinary and reasonable control in the operation of a motor vehicle in this category. A basic driver’s license also authorizes the licensee to operate farm trucks provided for in Sections 56-3-670, 56-3-211, and 56-3-215, which are used exclusively by the owner for agricultural, horticultural, and dairying operations or livestock and poultry raising. Notwithstanding another provision of law, the holder of a conditional license, or special restricted license operating a farm truck for the purposes provided in this subsection, may operate the farm truck without an accompanying adult after six o’clock a.m. and no later than nine o’clock p.m., but may not operate a farm truck on a freeway. A person operating a farm truck while holding a conditional driver’s license or a special restricted license may not use the farm truck for ordinary domestic purposes or general transportation.

 (2) A classified driver’s license shall authorize the licensee to operate a motorcycle, motorcycle three-wheel vehicle, including a motorcycle with a detachable side car, or those vehicles in excess of twenty-six thousand pounds gross vehicle weight rating which are indicated by endorsement on the license. The endorsement may include classifications such as: motorcycles, two-axle trucks, three- or more axle trucks, combination of vehicles, motor buses, or oversize or overweight vehicles. The department shall determine from the driving demonstration the endorsements to be indicated on the license.

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

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