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CHAPTER 25

Nonresident Traffic Violator Compacts

**SECTION 56‑25‑10.** Compacts enacted as law; duty of Department of Motor Vehicles

 The Nonresident Traffic Violator Compacts of 1972 and 1977 (compacts) are enacted into law by reference and entered into with all other jurisdictions legally joining therein. The director of the Department of Motor Vehicles shall execute all documents and perform all other acts necessary to carry out the provisions of the compacts. The department shall maintain a current list of those jurisdictions which have entered into the compacts. The list and copies of the compacts shall from time to time be disseminated to those agencies and individuals who are responsible for enforcement of their provisions.

HISTORY: 1980 Act No. 461; 1986 Act No. 383, Section 2; 1993 Act No. 181, Section 1498; 1996 Act No. 459, Section 240.

Code Commissioner’s Note

Pursuant to the directive to the Code Commissioner in 2003 Act No. 51, Section 18, “Department of Motor Vehicles” was substituted for “department”.

**SECTION 56‑25‑20.** Suspension of license for failure to comply with traffic citation or summons for litter violation; notification of licensing authority in compact jurisdiction.

 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. 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.

HISTORY: 1980 Act No. 461; 1990 Act No. 596, Section 2; 1996 Act No. 459, Section 241; 2004 Act No. 306, Section 2.

Code Commissioner’s Note

Pursuant to the directive to the Code Commissioner in 2003 Act No. 51, Section 18, “Department of Motor Vehicles” was substituted for “department”.

**SECTION 56‑25‑30.** Release of violator on personal recognizance; release of nonresident licensed by compact jurisdiction.

 Any law enforcement officer who issues to a person a uniform traffic citation may, in addition to any other action authorized by law and subject to the exceptions noted in this section, allow the person to proceed without first either having to post bond or appear before a magistrate, recorder or other judicial officer if the person accepts the citation. Such acceptance shall constitute the person’s recognizance to comply with the terms of the citation.

 When issuing a citation for a traffic violation to a nonresident who is licensed by a compact jurisdiction, if the law enforcement officer receives the person’s recognizance as above‑described, the officer shall not, subject to the exceptions noted below, require the person to post bond but shall allow the person to proceed.

HISTORY: 1980 Act No. 461.

**SECTION 56‑25‑40.** Violations for which person not entitled to release on personal recognizance; penalty for failure to appear as required by citation.

 (a) No person shall be entitled to be released on personal recognizance pursuant to Section 56‑25‑30 if the officer requires the person to appear before a magistrate, recorder or other judicial officer or if the offense is:

 (1) One which would result in the suspension or revocation of a person’s license or privilege to drive under the laws of this State;

 (2) A violation of Section 56‑1‑440 prohibiting the operation of a motor vehicle without a valid driver’s license;

 (3) A violation of a highway weight limitation.

 (b) Any person who willfully fails to appear before the court as required by a uniform traffic citation without having posted such bond as may be required by the court or been granted a continuance by the court shall be deemed guilty of a misdemeanor and upon conviction shall be fined not more than two hundred dollars or imprisoned not more than thirty days.

HISTORY: 1980 Act No. 461.