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**House Education and Public Works Committee**

Status of Bills Acted Upon by the Committee

(2023 Legislative Session)

The Honorable Shannon Erickson

Chair

(July 24, 2023)

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**House Education and Public Works Committee**

Status of Bills Acted Upon by the Committee

(2023 Legislative Session)

**K-12 Subcommittee**

BILLS ADOPTED BY THE GENERAL ASSEMBLY

* **Act 8 (Senate bill 39)** establishes the "Education Scholarship Trust Fund (ESTF)." Eligible elementary and secondary students may be awarded scholarships in the amount of $6,000 to pay for education expenses. Expenses may include, among other items, tuition and fees, instructional materials, tutoring, computer hardware, assessments, and transportation (not to exceed $750 per year).

Public and independent schools may accept scholarship funds, but charter schools and home-schooled students are excluded. Eligible students must reside in the state and have attended a public school in the state during the previous school year or received a scholarship the previous school year. Families must meet a specified percentage of the federal poverty guidelines to qualify:

* 200 percent of the federal poverty guidelines for the 2024-25 school year;
* 300 percent of the federal poverty guidelines for the 2025-26 school year;
* 400 percent of the federal poverty guidelines for the 2026-27 school year and subsequent years.

The bill establishes a cap in the number of students who may participate in the ESTF:

* A maximum of 5,000 students may participate in the 2024-25 school year;
* A maximum of 10,000 students may participate in 2025-26 school year; and,
* A maximum of 15,000 students may participate in the 2026-27 school year and all subsequent years.

The State Department of Education (SDE) must create an application process for the Fund, determine student eligibility, and inform students and parents about eligibility and providers. Before receiving funds, parents or guardians must agree to provide instruction in at least English/language arts, mathematics, social studies, and science. Participating independent schools must meet curricula, diploma, and attendance requirements, comply with health and safety codes, and may not unlawfully discriminate based on race, color, or national origin.

Education Service Providers providing full-time instruction must provide the following assessments:

* Grades three through eight must take the SC Ready or SC Ready alternative assessment.
* Grades four and six must take the SC Pass or SC Pass alternative assessment.
* Alternatively, grades three through eight may take a nationally normed formative assessment at the beginning, middle, and end of the school year. SDE must approve the assessment.
* Grades nine through twelve must take a nationally norm referenced, or formative assessment approved by SDE.

The Education Oversight Committee must report on learning gains and graduation rates of scholarship recipients. A review panel is established to provide advice to the Department.

***(Act 8 was signed by the Governor on May 4, 2023)***

* **Act 9 (Senate bill 299)** adds the State Child Advocate to the Joint Citizens and Legislative Committee on Children.

***(Act 9 was signed by the Governor on May 10, 2023.*)**

* **Act 11 (Senate bill 581)** names the Venus Flytrap as the State’s official carnivorous plant.

***(Act 11 was signed by the Governor on May 8, 2023.)***

* **Act 21 (Senate bill 256)** prohibits public schools from banning the possession or personal use of sunscreen. (Charter schools are specifically included in the bill’s prohibition.) Sunscreen is defined as “a topical, non-aerosol product regulated by the United States Food and Drug Administration for over-the-counter use for the purpose of limiting ultraviolet light-induced skin damage. Sunscreen does not include prescription medication.”

***(Act 21 was signed by the Governor on May 16, 2023.)***

* **Act 47 (House bill 4122)** adds medications such as Narcan to the list of lifesaving medicines allowed to be administered in schools. The Department of Health and Environmental Control (DHEC) and SDE must publish a list of permitted medications. The agencies are to collaborate on developing and implementing policies and procedures for the storage, maintenance, and administration of medications in schools. SDE must provide training for school personnel on the administration of these medications.

***(Act 47 was signed by the Governor on May 16, 2023.)***

* **Act 49 (House bill 4291)** designates August 8 of each year as "Clog Dancing Day" in South Carolina.

***(Act 49 was signed by the Governor on May 16, 2023.)***

* **Act 79 (House bill 3360** directs the establishment of the Center for School Safety and Targeted Violence within the South Carolina Law Enforcement Division (SLED). The center shall “provide extensive training, education, and expertise in the fields of school safety and targeted violence.” SLED may incorporate new and existing personnel from any other unit or department as assigned by the Chief of SLED.

***(Act 79 was signed by the Governor on June 19, 2023.)***

BILLS AWAITING DELIBERATION BY THE CONFERENCE COMMITTEE

* **House bill 3728** is known as the Transparency and Integrity in Education (TIE) Act and provides that instruction in public schools should be non-biased and include a broad scope of history.

Instructional material and professional development should not promote that one race, sex, ethnicity, religion, color, or national origin is superior, inherently privileged, or determines moral character. Moreover, those traits should not cause the assignment of fault or bias to an individual or group. Students and teachers cannot be required to attend gender or sexual diversity training unless it is part of a corrective action plan mandated by the district.

Districts are clearly allowed to teach state academic standards, including concepts such as the history of an ethnic group, the fact-based discussion of controversial aspects of history, and the impartial instruction of the historical oppression of a group of people based on race, ethnicity, and other characteristics. SDE must develop model lesson plans accessible to districts. Schools may not accept materials or technology that contain access to pornographic material. Library material must be age appropriate.

SDE must develop a complaint policy and process for districts. Districts must report information regarding complaints to the General Assembly. If a complaint cannot be resolved locally, an appeal can be made to the State Board for a final determination. If the district violates the law, it must work with SDE on a corrective action plan. The department may withhold funds from a district if it fails to adhere to the corrective action plan. Extra time is added for review of instructional materials.

***(A Conference Committee was appointed June 14, 2023)***

BILLS ADOPTED BY THE HOUSE AND AWAITING SENATE ACTION

* **House bill 3295** allows the State Board of Education to waive applicable laws and regulations if a district is successful in its application to start a competency-based school. When applying, districts must ensure Competency Based Education (CBE) for all students in a selected school and show parental consultation regarding implementation.

The bill states the following CBE core principles:

* Learning outcomes must emphasize competencies identified in the Profile of the Graduate.
* Competencies must be explicit, measurable, and transferrable.
* Students must master competencies along a personalized and flexible pathway before advancing.
* Assessments must be meaningful and used to personalize learning experiences.
* Students must receive timely and personalized support based on their learning needs.

CBE schools cannot be exempted from anti-discrimination laws, or health, safety, civil rights, and disability rights requirements, and state and federal assessment requirements may not be waived. All eligible students must be allowed to attend, and schools may not limit, deny, or show preference in admission.

SDE shall create evaluation criteria, and schools are required to submit data for a biennial review. If schools do not perform as expected, SDE may request revocation of the waiver.

State and federal assessments are still required. CHE and the State Board for Technical and Comprehensive Education must establish policies providing fair and equitable access for admission, scholarships, and financial aid for students with CBE credit or diplomas.

Students may earn credits for the successful completion of courses through traditional means or an assessment that shows mastery of standards. This may include methods and documentation such as tests, interviews, peer evaluations, writing samples, reports, or portfolios. Unless waived, schools must still ensure that at least 1,080 instructional hours are completed during the year.

***(H. 3295 was adopted on March 30, 2023, and referred to the Senate Education Committee.)***

* **House bill 3843** amends statutes regarding students who attend public schools outside of their attendance zone and school district. Local school boards must adopt an open enrollment policy by the 2023-24 school year that is based on the requirements set forth in the legislation. SDE must develop a template to assist districts and include all district open enrollment policies on its website portal.

An open enrollment policy must adhere to federal desegregation and other education requirements and be posted prominently on a district’s website. Among the items to be posted are the following:

* A description of the application requirements and timeline;
* A method for allowing parents to declare school preferences;
* Lottery and wait list policies;
* Whether a nonresident fee will be charged to cover costs of enrollment; and,
* Whether there is a fee waiver or mitigation process.

Districts are not required to transfer local funds for students enrolling elsewhere, and costs charged to the student by the receiving district cannot exceed the local per pupil expenditure amount. Districts may, but are not mandated to, alter the structure of the school to create more space, but the expansion of programs cannot result in schools exceeding regulations concerning teacher workload and class size. Programs may be established, changed, or expanded and eligibility criteria may be waived. Transportation may be provided to students outside of their attendance zones.

Existing students may not be displaced due to transfers. Enrollment policies for students transferring from outside the attendance zone or district must be established using the following hierarchy:

1. Siblings of students who reside in the same household and are already enrolled in the school;
2. Students who meet the program or school’s requirements and seek to attend the designated school in the district’s feeder pattern;
3. Students whose parents or guardians are assigned to the school as their primary place of employment;
4. Students selected by lottery.

Policies may not have the purpose or effect of causing racial discrimination. Districts denying enrollment must include specific reasons for the decision. Denial may occur only in the following situations:

* A documented lack of capacity in the school, level or program;
* The school does not offer the program;
* The students does not meet established eligibility requirements for the program; or
* There is a desegregation plan in effect for the district and denial is necessary for compliance.

A student who transfers to a different school one time in middle school or one time in high school may play their sport for their new school without having to wait one academic year.

Finally, state law that defines eligibility for public school attendance is amended to conform with the changes made by the bill. This includes the termination of the provision that allows students to gain residence by owning real property in a school district. Property will have to have been owned on or before June 30, 2024.

***(H. 3843 was adopted on March 30, 2023, and referred to the Senate Education Committee.)***

* **House bill 4060** is originally a product of the House’s State Economic Development and Utility Modernization Ad Hoc Committee. The bill addresses improvements to the delivery of workforce education in K-12 and higher education.

**Section 1**: The bill codifies the state’s workforce readiness goal of at least 60 percent of all working age South Carolinians having a postsecondary degree or recognized industry credential before 2030.

**Section 2**: SDE must ensure that all public high schools provide remedial courses in language arts and math for students in their senior year of high school who desire to pursue postsecondary education, but are not ready for college‑level course work. The courses will be elective credits. The State Board for Technical and Comprehensive Education (SBTCE) must approve the courses adopted by SDE.

**Section 3**: Each high school senior must complete and submit a Free Application for Federal Student Aid (FASFA) before graduation. Students are exempt from this requirement if their parent or guardian declines to complete the form, the school counselor exempts them for good cause, or a student who is 18 years of age exempts themselves.

**Section 4**: Development and housing of the Educator Preparation Report Card is transferred from the Commission on Higher Education (CHE) to SDE.

**Section 5**: CHE’s Advisory Committee on Academic Programs must develop a postsecondary articulation agreement for dual enrollment courses between all school districts and higher education institutions. The agreement must ensure that dual enrollment courses are equivalent to collegiate courses and supersedes all previous local dual enrollment agreements. Dual enrollment may be offered in grades ten through twelve.

CHE and SBTCE must implement policies guaranteeing students who have earned an associate of arts (AA) degree or an associate of science (AS) degree from a public two‑year college will receive a minimum of sixty transfer credit hours at a public college or university and be considered part of the junior class. Public four‑year colleges and universities must create a reverse transfer option for public two-year college students who enroll without completing an AA or AS degree. Once coursework is completed at the four-year college, credits earned may be transferred back to the originating public two-year college.

**Section 6**: The Department of Employment and Workforce (DEW) must provide online access to information regarding the economic value of college majors. In addition to showing the economic value of each major offered in this State, DEW must also compare bachelor’s degree earned to job availability. DEW may expand its report to include master’s and doctoral degrees.

**Section 7**: SBCTE and the State Board of Education must report to the General Assembly about how to best transfer adult basic education and adult secondary education from the State Board to the SBCTE.

***(H. 4060 was adopted on March 29, 2023, and referred to the Senate Education Committee.)***

* **House bill 4280** is entitled the Educator Assistance Act. The bill removes the requirement that South Carolina educators must recertify their teaching credential. A credential is considered permanent unless it is revoked or suspended. SDE, in collaboration with the Education Oversight Committee (EOC), to use data already being collected to report on in state and out‑of‑state college enrollment, college persistence, and postsecondary completion of high school graduates.

The bill provides greater flexibility to teachers regarding their employment contracts. Teachers who submit contracts before May 11 of each year will have ten days after publication of the employing district’s salary schedule to notify the district in writing that they are withdrawing acceptance of their contract. Districts may not report the withdrawal as a breach of contract if notice is promptly given.

When a certificate is suspended due to breach of contract, Section 59‑25‑530 is amended so that a suspension begins on the date of the breach. Instead of being mandated to suspend a certification, the State Board of Education is given discretion in this decision. Suspensions may not last for more than six months instead of the one-year limit now in place.

***(H. 4280 was adopted by the House on May 4, 2023, and referred to the Senate Education Committee.)***

* **House bill 4352** designates March of each year as “Middle Level Education Month.”

***(H. 4352 was adopted by the House on April 28, 2023, and is on the Senate calendar.)***

* **Senate bill 418** defines “Science of Reading,” “Foundational Literacy Skills,” Structured Literacy,” and “Literacy, and removes references to “evidence-based” instruction in favor of “scientifically-based.” The bill focuses Read to Succeed efforts to grades pre-K to five instead of pre-K through twelve. Efforts are also placed in middle schools where fifty percent or more of students score at the lowest achievement level on the state reading assessment. Curriculum or instructional materials that use the three-cueing system model of reading and visual memory as the basis for teaching word recognition are expressly prohibited.

Teachers certified in early childhood, elementary, or special education must complete coursework in foundational literacy skills, structured literacy, and the science of reading or successfully complete the scientifically research-based reading instruction assessment approved by the board. Classroom teachers must receive pre-service and in-service coursework in foundational literacy skills, structured literacy, and the science of reading. Existing coursework requirements are removed.

Beginning September 1, 2024, early childhood, elementary, and special education teacher candidates seeking initial certification must pass a rigorous test of scientifically research-based reading instruction and intervention and data-based decision-making principles. Colleges must report the success rate of teacher candidates who take the assessment. Teachers, administrators, and other certified staff must earn a literacy endorsement to maintain certification unless they are not educating or serving students in a school or other educational setting. Districts must offer professional development, coursework, certification, and endorsements at no charge. Teachers may exempt having to take the literacy endorsement courses if they pass the same literacy assessment given to pre-service educators.

Districts must show how reading and writing assessments and instruction align to the science of reading, structured literacy, and foundational literacy skills and document how interventions are provided to readers who fail to show reading proficiency. Supplemental instruction shall be provided by teachers who have a literacy endorsement and offered during the school day and, as appropriate, before or after school.

Universal screeners that measure early language and literacy development, mathematical thinking, physical well-being, and social-emotional development are to be replaced with screeners that measure only language and literacy. The screener must be aligned with first and second-grade standards for English/language arts.

"Substantially Fails to Demonstrate Third-Grade Reading Proficiency" means a student who does not demonstrate reading proficiency at the end of the third grade as indicated by scoring Does Not Meet Expectations. Current law sets that at a level equivalent to “Not Met 1” on the Palmetto Assessment of State Standards. Districts must report the number of first and second-grade students who are projected to score “Does Not Meet” on the statewide assessment. Students scoring “Substantially Fails" could no longer be promoted based solely on a reading portfolio; however, district superintendents may allow advancement if the teacher submits documentation showing reading proficiency.

Students in kindergarten through grade two who do not demonstrate reading proficiency must be given additional support in foundational literacy skills. Interventions must be at least thirty minutes daily in duration and be in addition to the minimum of ninety minutes of daily reading and writing instruction. Summer reading camps must be open to all students in kindergarten through third grade who do not exhibit grade-level reading proficiency. Students at any grade who do not exhibit reading proficiency and do not meet the good cause exemption may be included in the camps.

***(Senate bill 418 was amended by the House and returned to the Senate on May 4, 2023.)***

**EARLY CHILDHOOD EDUCATION**

BILLS ADOPTED BY THE GENERAL ASSEMBLY

* **Act 81 (House bill 4023)** makes the following changes to state law regarding First Steps to School Readiness:
* The composition of local partnership boards is changed. Instead of a maximum of twenty-five members, the number is reduced to a maximum of twelve. (This number could increase if there are multiple school districts in a partnership coverage area.)

No more than four members may be elected by the partnership to its board, and the county legislative delegation must appoint an additional six members. (If counties decide to create multicounty partnerships, the delegations will modify their appointments based on a plan approved by the state First Steps Board.) The Department of Social Services, Department of Health and Environmental Control, and Head Start or Early Head Start must make appointment recommendations to the delegations. The county public library located within a local partnership coverage area must recommend one employee for appointment by its county council to serve on the partnership. Each public school district board located within a particular local partnership coverage area must appoint one of its employees to serve as a member of the local partnership. Legislative delegations may designate some or all of its appointments to the county council. Elected partnership members may not serve in a holdover capacity.

* Local partnerships must obtain approval from the First Steps Board of Trustees when hiring an executive director or increasing the director’s salary. Local boards must provide performance reviews regarding their executive director to the First Steps Board. When counties opt to create a multi-county partnership, approval by the First Steps Board is required. First Steps must establish personnel policies and procedures for local partnerships and create a standard process for reviewing the performance of local partnership executive directors.
* The State Board, in consultation with the Office of Procurement, must develop procurement policies and procedures that the local partnerships must adopt.
* All publicly funded early childhood-serving agencies and entities must participate in data sharing initiatives supported by the Early Childhood Advisory Council (ECAC).
* The Department of Mental Health is given an *ex officio* appointment to the First Steps Board.
* ECAC must serve as the governing body for an early childhood data collection system and is required to develop and maintain parent knowledge-building activities including portals to inform parents about programs. A five-year strategic plan must be developed by ECAC.
* First Steps to School Readiness is permanently enacted and reauthorization is no longer necessary.

***(Act 81 was signed by the Governor on June 26, 2023.)***

**HIGHER EDUCATION**

BILLS ADOPTED BY THE GENERAL ASSEMBLY

* **Act 41 of 2023 (House bill 3857)** allows four-year comprehensive institutions of higher learning to add a new category for doctoral/professional degrees. Each individual institution may have up to five professional doctorates or Ph.Ds.

***(Act 41 was signed by the Governor on May 16, 2023.)***

Bills Adopted By the House and awaiting Senate action

* **House bill 3501** allows an exception for “certified athlete agents” who pay expenses incurred before the signing of an agency contract in certain circumstances. The change is needed due to the NCAA altering eligibility rules to allow for payments by athlete agents to basketball student-athletes and family members for meals, hotels, and travel in connection with the recruiting and signing the student-athlete as a client. This bill would bring the State into compliance with other states who have made this change in their version of the Revised Uniform Athlete Agents Act (RUAAA).

***(H. 3501 was reported favorably by the House on May 3, 2023, and referred to the Senate Education Committee.)***

**MOTOR VEHICLES**

BILLS ADOPTED BY THE GENERAL ASSEMBLY

* **Act 24 (Senate bill 363)** prohibits vehicles from being “squatted.” The first part of the bill amends existing law so that passenger vehicles may not be raised or lowered more than six inches off the ground even if the vehicle remains leveled. A violation of the subsection remains a misdemeanor with fines ranging from $25 to $50 and does not apply to pickup trucks.

The bill also prohibits the operation of pickup trucks on state highways if the height of the front fender is raised or lowered four or more inches above or below the height of the rear fender. Violation of the subsection is a misdemeanor with the first offense resulting in a $100 fine. The fine for a second offense is $200. A third offense results in a $300 fine and a twelve-month license suspension.

Penalties for violating the act do not begin for a period of 360 days. Drivers violating the act must be issued only warning tickets for a period of 180 days after the effective date.

***(Act 24 was signed by the Governor on May 16, 2023.)***

* **Act 51 (Senate bill 549)** makes several changes to statutes involving the Department of Motor Vehicles (DMV). Among those changes are the following:
* **Driver Financial Responsibility**: The bill incorporates language adopted by the House in H. 3518 and updates the driver’s license reinstatement fee program to allow for the payment of fees over twelve months instead of six. The amount of fees needed for program eligibility is reduced from $300 to $200. DMV may keep $5 of the $40 administrative fee and $35 is sent to the State Highway Fund. If a driver receives a suspension while in the program, the new fee must be satisfied before participation may continue. Drivers must surrender license plates within five days after the cancellation or expiration of a vehicle’s liability insurance policy.

The bill ends the practice of allowing the operation of uninsured motor vehicles upon payment of a fee. All drivers will have to carry insurance. A person who operates an uninsured vehicle is guilty of a misdemeanor and must be fined not less than $100 and not more than $200 or imprisoned for 30 days.

* **DMV Financing Agreements:** Vendor, transaction, and similar fees paid to agencies for goods and services through payment methods other than cash will not have to be set in statute or regulation**.**  Consumers will pay the statutory cost for the product in addition to fees. Vendors profit solely through convenience fees, and customers can avoid the fee by paying cash.
* **Traceable Temporary License Plates:** All temporary license plates will be issued at the point of sale by dealers versus the optional program. Temporary plates are valid for 45 days regardless of the vehicle buyer and are immediately linked to the vehicle in order to aid law enforcement. DMV must solicit for a temporary plate distributor (paper supplier) and the bill defines who may be a temporary plate distributor. All dealers must participate in the program.
* **Quality Assurance for Dealer Work:** Aprivatized quality assurance entity to assess dealer work is created to ensure that information is correctly transmitted to DMV following the purchase of a vehicle from a dealer. The agency must solicit for the entity. Vehicle buyers must pay $10 for quality assurance--$5 is sent to the Quality Assurance entity, $2.50 goes to DMV for technology modernization, and $2.50 is sent to the SCDOT.
* **Dealer Licensing Laws:** The dealer licensing validity period changes from one to three years in order to reduce the administrative burden on DMV. The bond is raised from $30,000 to $50,000 for RV and retail dealers, with motorcycle dealer bonds increasing from $15,000 to $25,000. Disqualifying crimes for people attempting to become licensed dealers are added along with increases in the penalty for selling a vehicle without a dealer license. (Casual sellers are not impacted.)

The bill grandfathers dealers who have one license but contiguous lots and codifies licensing adjacent lots in the future. Also codified are existing agency procedures that assess points against a dealer’s license when dealers make errors. A Dealer Sanction Review Board is established to hear appeals on whether the public is made aware of points issued against a dealer.

* **Driver Training:** Changes are made to driver training. The term “defensive driving course” is now “driver training course.” The classroom portion of the training may be done in-person, virtually, or by remote online methods. Online training must contain the following:
  + A student username and password;
  + The ability to measure the amount of time a student spends in the course;
  + Twenty-four-hour, seven day per week, technical support to students;
  + Personal validation questions which appear throughout the course;
  + Ways to keep students from completing more than four hours of instruction in a calendar day;
  + A final examination at the completion of the program. A passing score of at least eighty percent is required and students have three attempts at passing.
* Current statute provides that no one may receive a driver's license unless and until all other operator's licenses are surrendered to the DMV. The bill adds a deadline of forty-five days upon a person becoming a resident of the State, unless specifically exempted by law.
* The vision screening required to obtain a driver’s license can be waived if a driver has a certificate of vision examination dated within the past 36 months. Active-duty members of the Armed Services are exempt from the requirements of this section as long as they provide DMV with a Leave and Earning Statement dated within thirty-one days of applying for, or renewing, their driver’s license and a non-expired military identification card.

***(Act 51 was signed by the Governor on May 30, 2023.)***

BILLS ADOPTED BY THE HOUSE AND AWAITING SENATE ACTION

* **House Bill 3168** allows for the operation of antique motor vehicles at night as long as the vehicle is equipped with working headlights and rear lights. Existing statute provides that motor vehicles and motorcycles may be classified by the Department of Motor Vehicles as an antique if the following conditions are met:
* Over twenty-five years old;
* Owned solely as a collector's item; and,
* Used for participation in club activities, exhibits, tours, parades, and similar uses; but,
* Not used for general transportation.

***(H. 3168 was adopted by the House on April 28, 2023, and referred to the Senate Transportation Committee.)***

* **House Bill 3355** provides that, for recreational purposes only, a pick-up truck utilizing a fifth wheel assembly to tow a vehicle may tow one additional separate trailing vehicle. The pick-up truck and trailing vehicles may not exceed a combined total length of 75 feet. The weight of the final trailing vehicle must not exceed 3,000 pounds. A truck operating this combination must be equipped with a video system which allows the driver of the truck to monitor the final trailing vehicle as it is being towed.

***(H. 3355 was adopted by the House on May 3, 2023, and referred to the Senate Transportation Committee.)***

* **House Bill 3359** House bill 3359 creates a new section regarding Utility Terrain Vehicles (UTV). The definition of UTV does not include golf carts or vehicles designed to carry individuals with disabilities.

Before it may be operated on a road, a UTV must be registered in the same fashion as a passenger vehicle. Owners must obtain a license plate from the Department of Motor Vehicles (DMV) upon presenting proof of ownership and liability insurance. There is a ten-dollar biennial fee of which DMV may keep $2.00 per plate to cover the costs of production and issuance. Four dollars is sent to the State Highway Fund, and $4.00 is given to the Transportation Infrastructure Bank.

Owners are exempt from paying property taxes on UTVs, but are subject to road-use fees for vehicles powered by electric, hydrogen, and fuels other than motor fuel. UTVs may be operated on roads for which the speed limit is fifty-five miles an hour or less but may cross at intersections where the road has a speed limit of more than fifty-five miles an hour.

UTV operators must be at least sixteen years of age and hold a valid driver’s license. Operators driving on a highway or street must have the license plate and registration, proof of insurance and a driver’s license. If the UTV operator is sixteen years old and has a conditional driver’s license, the UTV may only be operated during daylight hours. UTVs may not be operated by anyone who holds a beginner’s permit or moped operator’s license. UTVs may not be operated by holders of a temporary alcohol license, route restricted driver’s license, provisional driver’s license, or solely a motorcycle license.

Children under eight years of age may not be a passenger in a UTV while it is being operated on a road. Drivers and passengers under the age of eighteen must wear the protective gear described in state law. UTVs must have a Type 2 seat belt assembly at each seating position and have operable headlights, brake lights, taillights, and turn signals. Drivers and passengers of UTVs must wear a fastened safety belt. Failure to do so may result in a fine pursuant to existing state law.

DMV may not register or renew the registration of a UTV unless a certificate of title has been issued to the owner or an application has been delivered to the department. Certificates issued under this subsection must carry the brand ‘off road use only’ to designate that a vehicle’s Manufacturer Certificate of Origin is not manufactured for use on public roads.

***(H. 3359 was adopted by the House on March 30, 2023, and referred to the Senate Transportation Committee.)***

* **House Bill 3414** prohibits vehicles from being “squatted.”

**[Please see the summary for Senate bill 363 which is a companion bill to H. 3414.]**

***(H. 3414 was adopted by the House on April 5, 2023, and referred to the Senate Transportation Committee.)***

* **House Bill 3518** regards driver financial responsibility.

**[Please see the summary for S. 549. The provisions of H. 3518 were inserted into S. 549.]**

***(H. 3518 was adopted by the House on February 8, 2023. The bill is on the Senate calendar.)***

* **House Bill 3732** expresses that “the restoration, exhibition, showing, and enjoyment of classic and antique motor vehicles is the official family friendly pastime of the State.”

***(H. 3732 was adopted by the House on April 28, 2023, and referred to the Senate Judiciary Committee.)***

**Transportation**

BILLS ADOPTED BY THE GENERAL ASSEMBLY

* **Act 2 of 2023 (Senate bill 361)** deals with contract extensions that allow the South Carolina Department of Transportation (SCDOT) to expand the scope of work of an already existing road construction contract if the work is being done in the same vicinity. All extensions must be executed by the Secretary of the SCDOT and ratified by the SCDOT Commission to ensure transparency in the contract extension process.

***(S. 361 was signed by the Governor on March 20, 2023.)***

Bills Adopted By the House and awaiting senate action

* **House bill 3750** updates the SCDOT Procurement Code so that the Department can construct mass transit facilities and conduct improvements on the State’s rights of way.

***(H. 3750 was reported favorably by the House on March 8, 2023, and referred to the Senate Finance Committee.)***

**Appendix**

Of the 217 bills assigned to the Education and Public Works committee, 37 were enacted into law during the 124th South Carolina General Assembly (**as of May 23, 2022**).

|  |  |  |  |
| --- | --- | --- | --- |
| **Subcommittee** | **Enacted 2023** | **Enacted 2024** | **Adopted only by the House 2023** |
| K-12 | 7 | N/A | 8 |
| Higher Education | 1 | N/A | 1 |
| Early Childhood | 1 | N/A |  |
| Public Safety | 0 | N/A | 0 |
| Motor Vehicles | 2 | N/A | 6 |
| Transportation | 1 | N/A | 1 |