

## Session 121 - (2015-2016)

### H 3128 General Bill, By Rutherford and McKnight

**Summary:** Driving under suspension

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-1-555 SO AS TO PROVIDE THAT A PERSON MAY NOT BE PLACED UNDER CUSTODIAL ARREST WHEN STOPPED FOR OPERATING A MOTOR VEHICLE WITH A SUSPENDED DRIVER'S LICENSE UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE FOR THE REINSTATEMENT OF THE PERSON'S DRIVER'S LICENSE AND THE DISMISSAL OF THE DRIVING WHILE UNDER SUSPENSION CHARGE; BY ADDING SECTION 56-1-557 SO AS TO PROVIDE THAT WHEN A PERSON APPEALS A CONVICTION THAT REQUIRES THE SUSPENSION OF HIS DRIVER'S LICENSE, THE DRIVER'S LICENSE SUSPENSION MUST BE STAYED WHILE THE CASE IS BEING APPEALED; AND TO AMEND SECTION 56-1-365, AS AMENDED, RELATING TO A PERSON WHO SURRENDERS HIS DRIVER'S LICENSE, SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY NOT SUSPEND A PERSON'S DRIVER'S LICENSE IF IT FAILS TO RECEIVE NOTICE OF A CONVICTION THAT REQUIRES THE LICENSE TO BE SUSPENDED WITHIN THIRTY DAYS OF THE CONVICTION.

**12/11/14 House Prefiled**

**12/11/14 House Referred to Committee on Judiciary**

**01/13/15 House Introduced and read first time (House Journal-page 107)**

**01/13/15 House Referred to Committee on Judiciary (House Journal-page 107)**