

## Session 116 - (2005-2006)

### H 3524 General Bill, By Townsend

*Similar (S 0406)*

**Summary:** Commercial Driver's License

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-1-2005, SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES SHALL ADMINISTER THE SOUTH CAROLINA COMMERCIAL DRIVER'S LICENSE PROGRAM IN ACCORDANCE WITH THE FEDERAL MOTOR CARRIER SAFETY REGULATIONS; BY ADDING SECTION 56-1-2111, SO AS TO PROVIDE CIRCUMSTANCES WHEN THE DEPARTMENT OF MOTOR VEHICLES SHALL NOT ISSUE A COMMERCIAL DRIVER'S LICENSE, OR A COMMERCIAL SPECIAL LICENSE OR PERMIT; BY ADDING SECTION 56-1-2112, SO AS TO PROVIDE THAT A DRIVER WHO IS CONVICTED OF OPERATING A COMMERCIAL VEHICLE IN VIOLATION OF CERTAIN RAILROAD-HIGHWAY GRADE CROSSING PROVISIONS IS DISQUALIFIED FROM OPERATING A COMMERCIAL MOTOR VEHICLE FOR A CERTAIN PERIOD OF TIME; TO AMEND SECTION 56-1-2030, RELATING TO DEFINITIONS OF TERMS CONTAINED IN THE SOUTH CAROLINA COMMERCIAL DRIVER'S LICENSE ACT, SO AS TO REVISE THE DEFINITIONS OF THE TERMS "CONVICTION", "SERIOUS TRAFFIC VIOLATION", AND "TANK VEHICLE", AND TO PROVIDE DEFINITIONS FOR THE TERMS "SCHOOL BUS", AND "TRAFFIC VIOLATION"; TO AMEND SECTION 56-1-2080, AS AMENDED, RELATING TO THE ISSUANCE OF COMMERCIAL DRIVER'S LICENSES, SO AS TO MAKE TECHNICAL CHANGES, TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY AUTHORIZE PRIVATE INSTITUTIONS TO ADMINISTER THE SKILLS PORTION OF THE COMMERCIAL DRIVER'S LICENSE TEST, TO PROVIDE THAT THE FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION MAY RANDOMLY TEST COMMERCIAL DRIVER'S LICENSE APPLICANTS OR HOLDERS, AND PROVIDE THAT A COMMERCIAL DRIVER'S LICENSE APPLICANT OR HOLDER WHO FAILS RETESTING SHALL LOSE HIS COMMERCIAL DRIVER'S LICENSE; TO AMEND SECTION 56-1-2100, AS AMENDED, RELATING TO CONTENTS OF A COMMERCIAL DRIVER'S LICENSE, THE PRIVILEGES AFFORDED TO THE HOLDER OF A COMMERCIAL DRIVER'S LICENSE WITH THE VARIOUS CLASSIFICATIONS, ENDORSEMENTS, AND RESTRICTIONS, AND THE ISSUANCE AND RENEWAL OF A COMMERCIAL DRIVER'S LICENSE, SO AS TO PROVIDE THAT THE "S" ENDORSEMENT AUTHORIZES A PERSON TO DRIVE ANY SCHOOL BUS; TO AMEND SECTION 56-1-2110, AS AMENDED, RELATING TO MOVING VIOLATIONS THAT DISQUALIFY A PERSON FROM DRIVING A COMMERCIAL MOTOR VEHICLE, SO AS TO PROVIDE THAT THESE VIOLATIONS MAY BE COMMITTED IN EITHER A COMMERCIAL OR NONCOMMERCIAL MOTOR VEHICLE, TO MAKE TECHNICAL CHANGES, TO PROVIDE THAT DRIVING A COMMERCIAL MOTOR VEHICLE WHEN A PERSON'S COMMERCIAL DRIVER'S LICENSE IS REVOKED, SUSPENDED, OR CANCELLED DISQUALIFIES THE PERSON FROM DRIVING A COMMERCIAL MOTOR VEHICLE, TO PROVIDE THAT CAUSING A FATALITY THROUGH THE NEGLIGENT OPERATION OF A COMMERCIAL MOTOR VEHICLE DISQUALIFIES A PERSON FROM DRIVING A COMMERCIAL MOTOR VEHICLE, AND TO DEFINE THE TERM "SERIOUS TRAFFIC VIOLATIONS"; AND TO AMEND SECTION 56-5-2735, RELATING TO VEHICLES ENTERING INTO AN INTERSECTION, CROSSWALK, OR RAILROAD CROSSING, SO AS TO PROVIDE THAT A VEHICLE MAY NOT BE DRIVEN OR TOWED THROUGH OR OVER A RAILROAD GRADE CROSSING UNTIL ITS DRIVER HAS DETERMINED THAT THE VEHICLE HAS SUFFICIENT UNDER CARRIAGE CLEARANCE TO NEGOTIATE THE RAILROAD GRADE CROSSING.

02/10/05 House Introduced and read first time HJ-9

02/10/05 House Referred to Committee on Education and Public Works HJ-10