

Session 116 - (2005-2006)

S*0406 (Rat #0046, Act #0042 of 2005) General Bill, By Ryberg

Similar (H 3524)

Summary: Commercial Driver's License revisions

AN ACT 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 56-1-2060, AS AMENDED, RELATING TO CERTAIN RESPONSIBILITIES PLACED ON AN EMPLOYER WHO EMPLOYS A PERSON TO DRIVE A COMMERCIAL MOTOR VEHICLE, SO AS TO INCREASE THE PENALTY THAT MAY BE ASSESSED AGAINST AN EMPLOYER WHO KNOWINGLY ALLOWS, PERMITS, OR AUTHORIZES A PERSON TO DRIVE A COMMERCIAL MOTOR VEHICLE DURING A PERIOD IN WHICH THE VEHICLE OR PERSON IS SUBJECT TO AN OUT-OF-SERVICE ORDER, TO PROVIDE THAT AN EMPLOYER MAY NOT KNOWINGLY ALLOW, PERMIT, OR AUTHORIZE A PERSON TO DRIVE A COMMERCIAL MOTOR VEHICLE DURING A PERIOD WHEN THE EMPLOYER IS IN VIOLATION OF A PROVISION PERTAINING TO RAILROAD-HIGHWAY GRADE CROSSINGS, AND TO PROVIDE A CIVIL PENALTY TO BE ASSESSED AGAINST AN EMPLOYER WHO VIOLATES CERTAIN FEDERAL REGULATIONS; 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. - ratified title

02/03/05 Senate Introduced and read first time SJ-4

02/03/05 Senate Referred to Committee on Transportation SJ-4

02/24/05 Senate Committee report: Favorable Transportation SJ-9

02/25/05 Senate Scrivener's error corrected

03/01/05 Senate Amended SJ-13

03/01/05 Senate Read second time SJ-13

03/02/05 Senate Read third time and sent to House

03/02/05 Senate Scrivener's error corrected

03/03/05 House Introduced and read first time HJ-20
03/03/05 House Referred to Committee on Education and Public Works HJ-21
04/07/05 House Committee report: Favorable Education and Public Works HJ-27
04/12/05 House Read second time HJ-32
04/12/05 House Rep. Rice moved to reconsider whereby the Bill received second reading HJ-42
04/13/05 House Debate adjourned on motion to reconsider until Thursday, April 14, 2005 HJ-34
04/14/05 House Table the motion to reconsider HJ-14
04/14/05 House Read third time and enrolled HJ-14
04/28/05 Ratified R 46
05/03/05 Signed By Governor
05/05/05 Copies available
05/05/05 Effective date 05/03/05
05/09/05 Act No. 42