

Session 115 - (2003-2004)

S 0822 General Bill, By Leventis, Knotts, Land and Cromer

Summary: Aeronautics Division moved from Commerce Dept. to Transportation Dept., provisions

A BILL TO AMEND TITLE 57, CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 4, RELATING TO THE ESTABLISHMENT, FUNCTIONS, AND PURPOSES OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO CREATE THE STATE AERONAUTICS COMMISSION WITHIN THE DEPARTMENT TO OVERSEE THE OPERATION OF THE DEPARTMENT'S DIVISION OF AERONAUTICS AND TO APPOINT THE DIVISION'S DIRECTOR; TO AMEND SECTION 55-5-20, AS AMENDED, RELATING TO DEFINITION OF TERMS CONTAINED IN THE UNIFORM STATE AERONAUTICAL REGULATORY ACT, SO AS TO REVISE THE DEFINITION OF "AVIATION GASOLINE" TO INCLUDE GENERAL AVIATION JET FUEL; TO AMEND SECTION 57-11-20, AS AMENDED, RELATING TO THE STATE HIGHWAY FUND AND THE FEDERAL AID HIGHWAY FUND, SO AS TO DELETE THE PROVISION THAT RELATES TO THE FEDERAL AID HIGHWAY FUND, AND TO PROVIDE THAT THE STATE HIGHWAY FUND MAY NOT BE USED FOR THE PURPOSES OF THE DEPARTMENT OF TRANSPORTATION'S AERONAUTICS DIVISION; BY ADDING SECTION 58-8-220 SO AS TO PROVIDE FOR THE FUNDING OF THE ACTIVITIES OF THE DIVISION OF AERONAUTICS; BY ADDING SECTION 57-3-35 SO AS TO PROVIDE FOR THE ORGANIZATION AND OBJECTIVE OF THE DIVISION OF AERONAUTICS; TO AMEND SECTION 1-30-25, AS AMENDED, RELATING TO THE DEPARTMENT OF COMMERCE, SO AS TO DELETE ITS DIVISION FOR AERONAUTICS; TO AMEND SECTION 1-30-105, RELATING TO THE DEPARTMENT OF TRANSPORTATION, SO AS TO ESTABLISH A DIVISION OF AERONAUTICS WITHIN THE DEPARTMENT AND TO DELETE AN OBSOLETE REFERENCE; TO AMEND SECTION 2-13-240, AS AMENDED, RELATING TO THE DISTRIBUTION OF THE CODE OF LAWS OF SOUTH CAROLINA, SO AS TO SUBSTITUTE DEPARTMENT OF TRANSPORTATION FOR DEPARTMENT OF COMMERCE; TO AMEND SECTION 11-35-1520, AS AMENDED, RELATING TO COMPETITIVE SEALED BIDDING, SO AS TO SUBSTITUTE DEPARTMENT OF TRANSPORTATION FOR DEPARTMENT OF COMMERCE; TO AMEND SECTION 12-28-2720, RELATING TO THE DISTRIBUTION OF THE GASOLINE USER FEE TO THE DEPARTMENT OF TRANSPORTATION, SO AS TO PROVIDE THAT THIS FEE MAY NOT BE USED FOR THE PURPOSE OF THE DIVISION OF AERONAUTICS; TO AMEND SECTION 12-36-1710, RELATING TO THE EXCISE TAX LEVIED ON THE CASUAL SALES OF CERTAIN ITEMS, SO AS TO SUBSTITUTE DEPARTMENT OF TRANSPORTATION FOR DEPARTMENT OF COMMERCE; TO AMEND SECTION 13-1-10, AS AMENDED, RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF COMMERCE, SO AS TO DELETE THE DEPARTMENT'S DIVISION OF AERONAUTICS AND ITS FUNCTIONS; TO AMEND SECTION 13-1-20, RELATING TO THE PURPOSES OF THE DEPARTMENT OF COMMERCE, SO AS TO DELETE THE DEPARTMENT'S MANDATE TO DEVELOP STATE PUBLIC AIRPORTS AND AN AIR TRANSPORTATION SYSTEM; TO AMEND SECTION 15-9-390, AS AMENDED, RELATING TO SERVICE OF PROCESS ON NONRESIDENT OPERATORS OF AIRCRAFT, SO AS TO SUBSTITUTE DIRECTOR OF THE DEPARTMENT OF TRANSPORTATION FOR SECRETARY OF COMMERCE; TO AMEND SECTION 15-9-410, AS AMENDED, RELATING TO CERTAIN PROVISIONS THAT DO NOT APPLY TO ANY INCORPORATED CARRIER HOLDING A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY, SO AS TO SUBSTITUTE DEPARTMENT OF TRANSPORTATION FOR DEPARTMENT OF COMMERCE; TO AMEND SECTION 23-33-20, AS AMENDED, RELATING TO THE OBTAINING OF A PERMIT BEFORE FIRING OR ATTEMPTING TO FIRE OR DISCHARGE A MISSILE, SO AS TO SUBSTITUTE DEPARTMENT OF TRANSPORTATION FOR DEPARTMENT OF COMMERCE; TO AMEND SECTION 46-13-60, AS AMENDED, RELATING TO PRESCRIBING STANDARDS FOR THE CERTIFICATION OF APPLICATORS OF PESTICIDES, SO AS TO SUBSTITUTE DEPARTMENT OF TRANSPORTATION FOR DEPARTMENT OF COMMERCE; TO AMEND SECTION 55-1-1, AS AMENDED, RELATING TO THE ESTABLISHMENT OF THE DIVISION OF AERONAUTICS WITHIN THE DEPARTMENT OF COMMERCE, SO AS TO SUBSTITUTE DEPARTMENT OF TRANSPORTATION FOR DEPARTMENT OF COMMERCE AND DIRECTOR OF THE DEPARTMENT OF TRANSPORTATION FOR SECRETARY OF COMMERCE; TO AMEND SECTION 55-1-5, AS AMENDED, RELATING TO DEFINITIONS CONTAINED IN THE PROVISIONS THAT GOVERN THE DIVISION OF AERONAUTICS OF THE DEPARTMENT OF COMMERCE, SO AS TO SUBSTITUTE DEPARTMENT OF TRANSPORTATION FOR DEPARTMENT OF COMMERCE; TO AMEND SECTION 55-5-190, AS AMENDED, RELATING TO THE ENFORCEMENT OF THE PROVISIONS CONTAINED IN THE UNIFORM STATE AERONAUTICAL REGULATORY ACT, SO AS TO SUBSTITUTE DEPARTMENT OF TRANSPORTATION FOR DEPARTMENT OF COMMERCE; TO AMEND SECTION 55-5-230, RELATING TO APPEALS FROM ORDERS ISSUED BY THE DIVISION OF AERONAUTICS, SO AS TO INCREASE THE PERIOD OF TIME WITHIN WHICH A PERSON AGAINST WHOM AN ORDER HAS BEEN ENTERED MAY APPEAL THE ORDER, AND TO PROVIDE THAT THE APPEAL MUST BE MADE TO THE ADMINISTRATIVE LAW JUDGE DIVISION INSTEAD OF THE CIRCUIT COURT; TO AMEND SECTION 55-8-10, AS AMENDED, RELATING TO DEFINITION OF TERMS CONTAINED IN THE UNIFORM AIRCRAFT FINANCIAL

RESPONSIBILITY ACT, SO AS TO SUBSTITUTE THE TERM DEPARTMENT OF TRANSPORTATION FOR THE TERM DEPARTMENT OF COMMERCE WITHIN THE DEFINITION OF THE TERM AGENCY; TO AMEND SECTION 55-8-50, AS AMENDED, RELATING TO POLICY BONDS CONTAINED IN THE UNIFORM AIRCRAFT FINANCIAL RESPONSIBILITY ACT, SO AS TO SUBSTITUTE DIRECTOR OF THE DEPARTMENT OF TRANSPORTATION FOR SECRETARY OF COMMERCE; TO AMEND SECTION 55-11-10, AS AMENDED, RELATING TO THE POWERS OF THE BOARD OF TRUSTEES OF CLEMSON UNIVERSITY, SO AS TO SUBSTITUTE DEPARTMENT OF TRANSPORTATION FOR DEPARTMENT OF COMMERCE; TO AMEND SECTION 55-15-10, AS AMENDED, RELATING TO DEFINITIONS CONTAINED IN THE PROVISIONS THAT PERTAIN TO RELOCATION ASSISTANCE, SO AS TO SUBSTITUTE THE TERM DEPARTMENT OF TRANSPORTATION FOR DEPARTMENT OF COMMERCE; TO AMEND SECTION 57-1-20, AS AMENDED, RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO CREATE A DIVISION OF AERONAUTICS WITHIN THE DEPARTMENT; TO AMEND SECTION 57-1-30, AS AMENDED, RELATING TO THE FUNCTIONS AND PURPOSES OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO PROVIDE THAT AMONG ITS FUNCTIONS AND PURPOSES, THE DEPARTMENT SHALL DEVELOP STATE PUBLIC AIRPORTS AND AN AIR TRANSPORTATION SYSTEM; TO AMEND SECTION 57-3-10, AS AMENDED, RELATING TO THE ADMINISTRATION OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO PROVIDE THAT THE DEPARTMENT MUST CONTAIN A DIVISION OF AERONAUTICS; TO AMEND SECTION 57-3-20, AS AMENDED, RELATING TO THE RESPONSIBILITIES AND DUTIES OF THE DEPARTMENT OF TRANSPORTATION'S DIVISION DIRECTORS, SO AS TO PROVIDE FOR THE DUTIES AND RESPONSIBILITIES OF THE DIVISION OF AERONAUTICS' DEPUTY DIRECTOR; TO AMEND SECTION 57-11-20, AS AMENDED, RELATING TO THE STATE HIGHWAY FUND AND THE FEDERAL AID HIGHWAY FUND, SO AS TO DELETE THE PROVISION THAT RELATES TO THE FEDERAL AID HIGHWAY FUND AND TO PROVIDE THAT THE STATE HIGHWAY FUND MAY NOT BE USED FOR PURPOSES OF THE DEPARTMENT OF TRANSPORTATION DIVISION OF AERONAUTICS; AND TO REPEAL ARTICLE 7, CHAPTER 1, TITLE 13 AND SECTIONS 55-5-240 AND 55-5-250 RELATING TO THE APPEAL OF A DECISION ENTERED BY THE DEPARTMENT OF COMMERCE DIVISION OF AERONAUTICS.

01/13/04 Senate Introduced and read first time SJ-34

01/13/04 Senate Referred to Committee on Transportation SJ-34