

## Session 115 - (2003-2004)

**H 3224 General Bill, By G.M. Smith, Stille, Coleman and Jennings**

***Similar (H 3228, H 3532)***

**Summary:** DUI and DUS fines and fees; car tax failure to pay fines; portion of increased fines and fees to DPS; administrative changes

A BILL TO AMEND SECTION 56-5-2934, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A PERSON'S RIGHT TO COMPULSORY PROCESS WHEN CHARGED WITH THE OFFENSE OF, OR AN OFFENSE RELATED TO, DRIVING UNDER THE INFLUENCE OF ALCOHOL OR ANOTHER SUBSTANCE, SO AS TO DELETE THE PROVISION THAT ALLOWS A PERSON CHARGED WITH AN OFFENSE TO COMPLETE A HEARING REQUEST FORM AND GIVE IT TO THE ARRESTING OFFICER WHO SHALL FORWARD IT TO THE DEPARTMENT OF PUBLIC SAFETY; TO AMEND SECTION 56-5-2951, AS AMENDED, RELATING TO THE SUSPENSION OF A PERSON'S DRIVER'S LICENSE WHO REFUSES TO SUBMIT TO A TEST TO DETERMINE HIS ALCOHOL CONCENTRATION OR WHO HAS A CERTAIN ALCOHOL CONCENTRATION, SO AS TO DELETE THE PROVISION THAT REQUIRES A PERSON TO ENROLL IN AN ALCOHOL AND DRUG SAFETY ACTION PROGRAM BEFORE HE MAY REQUEST AN ADMINISTRATIVE HEARING; TO AMEND SECTION 12-37-2740, RELATING TO THE SUSPENSION OF A DRIVER'S LICENSE AND VEHICLE REGISTRATION FOR FAILURE TO PAY PERSONAL PROPERTY TAXES ON THE VEHICLE, SO AS TO INCREASE THE FINES FOR THIS OFFENSE AND TO PROVIDE THAT A PORTION OF THE FINES MUST BE USED BY THE DEPARTMENT OF PUBLIC SAFETY FOR CERTAIN PURPOSES; TO AMEND SECTION 56-1-460, AS AMENDED, RELATING TO PENALTIES FOR DRIVING A MOTOR VEHICLE WHILE THE DRIVER'S LICENSE IS SUSPENDED, SO AS TO INCREASE THE FINES FOR THIS OFFENSE, AND TO PROVIDE THAT A PORTION OF THE FINES MUST BE USED BY THE DEPARTMENT OF PUBLIC SAFETY FOR CERTAIN PURPOSES; TO AMEND SECTION 56-5-2940, AS AMENDED, RELATING TO PENALTIES IMPOSED FOR VIOLATING THE OFFENSE OF DRIVING UNDER THE INFLUENCE OF ALCOHOL OR ANOTHER ILLEGAL SUBSTANCE AND DRIVING WITH AN UNLAWFUL ALCOHOL CONCENTRATION, SO AS TO INCREASE THE FINES IMPOSED FOR THESE OFFENSES, AND TO PROVIDE THAT A PORTION OF EACH FINE MUST BE USED BY THE DEPARTMENT OF PUBLIC SAFETY TO FUND HIGHWAY PATROL PROJECTS; TO AMEND SECTION 56-5-2945, AS AMENDED, RELATING TO THE OFFENSE OF CAUSING GREAT BODILY INJURY OR DEATH WHILE OPERATING A VEHICLE UNDER THE INFLUENCE OF ALCOHOL OR ANOTHER SUBSTANCE, SO AS TO INCREASE THE FINES IMPOSED FOR THIS OFFENSE, AND TO PROVIDE THAT A PORTION OF EACH FINE MUST BE USED BY THE DEPARTMENT OF PUBLIC SAFETY TO FUND HIGHWAY PATROL PROJECTS; AND TO AMEND SECTION 56-5-2952, RELATING TO THE FILING FEE FOR REQUESTING AN ADMINISTRATIVE HEARING TO CHALLENGE CERTAIN DRIVER'S LICENSE SUSPENSIONS, SO AS TO PROVIDE THAT THIS FEE APPLIES TO ANY ADMINISTRATIVE HEARING BEFORE THE DEPARTMENT OF PUBLIC SAFETY, AND TO INCREASE THE FEE.

<b>12/18/02</b>	<b>House</b>	<b>Prefiled</b>
<b>12/18/02</b>	<b>House</b>	<b>Referred to Committee on Judiciary</b>
<b>01/14/03</b>	<b>House</b>	<b>Introduced and read first time HJ-90</b>
<b>01/14/03</b>	<b>House</b>	<b>Referred to Committee on Judiciary HJ-90</b>
<b>01/14/03</b>	<b>House</b>	<b>Member(s) request name added as sponsor: Coleman</b>
<b>01/21/03</b>	<b>House</b>	<b>Member(s) request name added as sponsor: Jennings</b>