

Session 117 - (2007-2008)

S*0472 (Rat #0342, Act #0285 of 2008) General Bill, By Lourie, Courson, Vaughn, Alexander, Sheheen, Ryberg, Williams, Leventis, Cleary, Drummond, Mescher, Cromer, Hayes, Verdin, Grooms and Knotts

Summary: Ignition interlock device

AN ACT TO AMEND SECTION 56-5-2941, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INSTALLATION OF INTERLOCK DEVICES ON VEHICLES OPERATED BY A PERSON WHO HAS BEEN CONVICTED OF COMMITTING CERTAIN OFFENSES THAT MAKE IT ILLEGAL TO OPERATE A VEHICLE WHILE UNDER THE INFLUENCE OF ALCOHOL OR DRUGS, SO AS TO INCREASE THE NUMBER OF OFFENSES THAT THIS PROVISION COVERS, TO MAKE TECHNICAL CHANGES, TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES SHALL ENFORCE THE PROVISIONS CONTAINED IN THIS SECTION INSTEAD OF THE COURT, TO PROVIDE PENALTIES FOR A PERSON WHO IS A RESIDENT OF THIS STATE THAT IS SUBJECT TO AN IGNITION INTERLOCK DEVICE REQUIREMENT IN ANOTHER STATE AND PENALTIES FOR A PERSON FROM ANOTHER STATE WHO BECOMES A RESIDENT OF THIS STATE WHILE SUBJECT TO AN IGNITION INTERLOCK DEVICE REQUIREMENT IN ANOTHER STATE, TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES INSTEAD OF THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES MUST BE NOTIFIED OF AN INDIVIDUAL'S COMPLETION AND COMPLIANCE WITH CERTAIN EDUCATION AND TREATMENT PROGRAMS, TO DELETE THE PROVISION THAT REQUIRES THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES TO NOTIFY THE DEPARTMENT OF MOTOR VEHICLES OF ANY SUSPENSIONS OR REINSTATEMENTS DUE TO AN INDIVIDUAL'S COMPLIANCE WITH CERTAIN SUBSTANCE ABUSE PROGRAMS, TO REVISE THE PROCEDURE WHEREBY AN INDIGENT OFFENDER MAY HAVE THE COST OF THE INSTALLATION AND USE OF AN IGNITION INTERLOCK DEVICE PAID FOR BY THE INTERLOCK DEVICE FUND, TO PROVIDE A DEFINITION FOR THE TERM "INDIGENT", TO PROVIDE FOR THE PREPARATION OF PERIODIC INTERLOCK DEVICE INSPECTION REPORTS, TO REVISE THE REPORTS' CONTENT, TO PROVIDE THAT AN ADMINISTRATIVE HEARING OFFICER'S DECISION ON AN APPEAL OF INTERLOCK POINTS RECEIVED IS FINAL AND MAY NOT BE APPEALED, TO DELETE THE PROVISION THAT REQUIRES THAT A COURT ORDER THAT IMPOSES THE REQUIREMENTS OF THIS SECTION BE TRANSMITTED TO THE DEPARTMENT OF MOTOR VEHICLES, TO IMPOSE ADDITIONAL REQUIREMENTS UPON A PERSON WHO SEEKS TO HAVE AN IGNITION INTERLOCK DEVICE REMOVED FROM HIS VEHICLE AND HAVE THIS RESTRICTION ON HIS DRIVER'S LICENSE REMOVED, TO PROVIDE THAT THE INSTALLATION OF AN IGNITION INTERLOCK DEVICE MAY BE INSTALLED ON A VEHICLE DRIVEN BY CERTAIN OFFENDERS WHO ARE SELF-EMPLOYED OR EMPLOYED BY CERTAIN BUSINESSES OWNED IN WHOLE OR IN PART BY THE OFFENDER OR A MEMBER OF THE OFFENDER'S HOUSEHOLD OR IMMEDIATE FAMILY; TO AMEND SECTION 56-1-400, AS AMENDED, RELATING TO THE SURRENDER OF, RENEWAL OF, AND RETURN OF A DRIVER'S LICENSE BY THE DEPARTMENT OF MOTOR VEHICLES AND THE PLACEMENT OF AN IGNITION INTERLOCK DEVICE RESTRICTION ON A DRIVER'S LICENSE, SO AS TO MAKE TECHNICAL CHANGES, PROVIDE CIRCUMSTANCES UPON WHICH CERTAIN PERSONS WHO ARE SUBJECT TO HAVING IGNITION INTERLOCK DEVICES INSTALLED ON THEIR VEHICLES MAY OBTAIN A DRIVER'S LICENSE WITHOUT HAVING TO SHOW THAT THE DEVICE HAS BEEN INSTALLED; AND TO AMEND SECTION 56-5-4440, RELATING TO THE OPERATION OF A VEHICLE EQUIPPED WITH A TELEVISION VIEWER, SCREEN, OR ANOTHER MEANS OF VISUALLY RECEIVING A TELEVISION BROADCAST, SO AS TO PROVIDE DEFINITIONS FOR CERTAIN TERMS, TO MAKE TECHNICAL CHANGES, AND TO PROVIDE THE CIRCUMSTANCES IN WHICH AN IMAGE DISPLAY DEVICE INTENDED TO BE VISIBLE TO A DRIVER WHILE A VEHICLE IS IN MOTION MAY BE INSTALLED IN A VEHICLE. - ratified title

02/21/07	Senate	Introduced and read first time SJ-15
02/21/07	Senate	Referred to Committee on Transportation SJ-15
03/27/07	Senate	Committee report: Favorable with amendment Transportation
03/27/07	Senate	Committed to Committee on Judiciary SJ-8
03/28/07		Scrivener's error corrected
04/03/07	Senate	Referred to Subcommittee: Hutto (ch), Jackson, Knotts, Bryant
05/23/07	Senate	Committee report: Favorable with amendment Judiciary SJ-49
05/24/07	Senate	Committee Amendment Adopted SJ-95
05/24/07		Scrivener's error corrected
05/25/07		Scrivener's error corrected
02/20/08	Senate	Amended SJ-69
02/20/08	Senate	Read second time SJ-69
02/21/08		Scrivener's error corrected

04/09/08	Senate	Amended SJ-71
04/09/08	Senate	Read third time and sent to House SJ-71
04/10/08	House	Introduced and read first time HJ-20
04/10/08	House	Referred to Committee on Judiciary HJ-20
04/10/08		Scrivener's error corrected
05/13/08	House	Committee report: Favorable with amendment Judiciary HJ-8
05/15/08	House	Debate adjourned until Tuesday, May 20, 2008 HJ-34
05/15/08		Scrivener's error corrected
05/20/08	House	Amended HJ-26
05/20/08	House	Read second time HJ-37
05/21/08	House	Read third time and returned to Senate with amendments HJ-24
05/28/08	Senate	House amendment amended SJ-95
05/28/08	Senate	Returned to House with amendments SJ-95
06/04/08	House	Concurred in Senate amendment and enrolled HJ-96
06/05/08		Ratified R 342
06/11/08		Signed By Governor
06/18/08		Copies available
06/18/08		Effective date See Act for Effective Date
06/19/08		Act No. 285