COMMITTEE REPORT

January 23, 2014

**H. 3231**

Introduced by Reps. Atwater, Huggins, Toole, Ballentine, Taylor, Bingham, Pitts and Wood

S. Printed 1/23/14--H.

Read the first time January 8, 2013.

**THE COMMITTEE ON EDUCATION AND PUBLIC WORKS**

To whom was referred a Bill (H. 3231) to amend the Code of Laws of South Carolina, 1976, by adding Section 57‑1‑90, so as to provide that the Department of Transportation shall not discriminate, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by striking Section 57-1-90(B), as contained in SECTION 1, page 1, and inserting:

/ (B) The allocation of parking space square footage specifically in transportation facilities, and other projects undertaken or operated by a political subdivision of this State where state or local source funds have been used in whole or in part to plan, design, construct, equip, operate, or maintain the facility must allow for the parking of motorcycles. In carrying forward this requirement, among other options, the facility at its discretion may comply by sectioning portions of the area where the size configuration of the space does not meet code requirements for full-size vehicles. If the parking facility chooses to designate parking spaces for motorcycles, the motorcycles may park only in the parking spaces so designated. /

Renumber sections to conform.

Amend title to conform.

PHILLIP D. OWENS for Committee.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 57‑1‑90, SO AS TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION SHALL NOT DISCRIMINATE AGAINST MOTORCYCLES, MOTORCYCLE OPERATORS, OR MOTORCYCLE PASSENGERS.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 1, Chapter 1, Title 56 of the 1976 Code is amended by adding:

“Section 57‑1‑90. (A) In formulating transportation policy, promulgating regulations, allocating funds, and planning, designing, constructing, equipping, operating and maintaining transportation facilities, no action of the South Carolina Transportation Commission, or the South Carolina Department of Transportation shall have the effect of discriminating against motorcycles, motorcycle operators, or motorcycle passengers. No regulation or action of the commission, or department shall have the effect of enacting a prohibition or imposing a requirement that applies only to motorcycles or motorcyclists, and the principal purpose of which is to restrict or inhibit access or motorcycles and motorcyclists to any highway, bridge, tunnel, or other transportation facility.

(B) The provisions of this section shall apply also to transportation facilities and projects undertaken or operated by counties, cities, towns, and other political subdivisions of the State of South Carolina where public funds have been used in whole or in part to plan, design, construct, equip, operate, or maintain the facility or project.”

SECTION 2. This act takes effect upon approval by the Governor.

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