**A** **BILL**

TO AMEND SECTION 56‑1‑2080, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF A COMMERCIAL DRIVER’S LICENSE AND A COMMERCIAL DRIVER INSTRUCTION PERMIT, SO AS TO PROVIDE A PERSON MAY NOT BE ISSUED A COMMERCIAL DRIVER’S LICENSE OR HAVE HIS DRIVER’S LICENSE RENEWED BEFORE HE COMPLETES A HUMAN TRAFFICKING PREVENTION COURSE.

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

SECTION 1. Section 56‑1‑2080(A) of the 1976 Code is amended to read:

“(A)(1) A person may not be issued a commercial driver’s license unless that person is a resident of this State and has passed a knowledge and skills test for driving a commercial motor vehicle which complies with the minimum federal standards established by 49 C.F.R. Part 383, subparts F, G, and H and has satisfied all other requirements of the CMVSA as well as any other requirements imposed by state law or federal regulation. The tests must be prescribed and conducted by the department. The first commercial driver’s license skills test administered by the department to an individual is free of charge; thereafter, the Department of Motor Vehicles is authorized to charge a fee of twenty‑five dollars for each subsequent commercial driver’s license skills test administered to that individual. State agency and school district employees who are required to possess a commercial driver’s license in the course of their normal job duties are exempt from this requirement. This fee must be placed into the State Highway Fund as established by Section 57‑11‑20, to be distributed as provided in Section 11‑43‑167 by the Comptroller General.

(2) The department may authorize a person, including an agency of this or another state, an employer, a private driver training facility or other private institutions, or a department, agency, or instrumentality of local government, to administer the skills test required by this subsection if:

(a) the test is the same which otherwise would be administered by the department; and

(b) the third party has entered into an agreement with the department which contains at least the following provisions:

(i) authorization for the department or the Federal Motor Carrier Safety Administration or its representatives to conduct random examinations, inspections, and audits without prior notice and randomly test commercial driver’s license applicants or holders at least annually. An applicant or holder who fails retesting shall lose his commercial driver’s license;

(ii) permission for the department or its representative to conduct onsite inspections at least annually;

(iii) requirement that all third‑party examiners meet the same qualifications and training standards as the department’s examiners to the extent necessary to conduct the driving skill tests;

(iv) authorization for the department to charge a fee, as determined by the department, which is sufficient to defray the actual costs incurred by the department for administering and evaluating the employer testing program and for carrying out any other activities considered necessary by the department to assure sufficient training for the persons participating in the program.

(3) A person may not be issued a commercial driver license or have his commercial driver license renewed unless he completes successfully a human trafficking prevention course administered by the State Law Enforcement Division (SLED), or a third party approved by SLED.”

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

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