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Indicates New Matter

COMMITTEE REPORT

February 7, 2019

**H. 3312**

Introduced by Reps. W. Newton and R. Williams

S. Printed 2/7/19--H.

Read the first time January 8, 2019.

**THE COMMITTEE ON EDUCATION AND PUBLIC WORKS**

To whom was referred a Bill (H. 3312) to amend Sections 56‑1‑170, 56‑1‑390, 56‑1‑395, 56‑1‑400, 56‑1‑460, etc., respectfully

**REPORT:**

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

MERITA A. ALLISON for Committee.

**A** **BILL**

TO AMEND SECTIONS 56‑1‑170, 56‑1‑390, 56‑1‑395, 56‑1‑400, 56‑1‑460, 56‑1‑550, 56‑1‑740, 56‑1‑746, 56‑1‑2080, 56‑3‑355, 56‑3‑1230, 56‑3‑1290, 56‑3‑1335, 56‑3‑2545, 56‑3‑3500, 56‑3‑3600, 56‑3‑3800, 56‑3‑3950, 56‑3‑4100, 56‑3‑4200, 56‑3‑4410, 56‑3‑4510, 56‑3‑4600, 56‑3‑4800, 56‑3‑5400, 56‑3‑6000, 56‑3‑7200, 56‑3‑7300, 56‑3‑7310, 56‑3‑7320, 56‑3‑7330, 56‑3‑7340, 56‑3‑7350, 56‑3‑7370, 56‑3‑7780, 56‑3‑7800, 56‑3‑7950, 56‑3‑8000, 56‑3‑8200, 56‑3‑8300, 56‑3‑8600, 56‑3‑8710, 56‑3‑9400, 56‑3‑9500, 56‑3‑9600, 56‑3‑9710, 56‑3‑10010, 56‑3‑10110, 56‑3‑10210, 56‑3‑10310, 56‑3‑11450, 56‑3‑12610, 56‑3‑13310, 56‑5‑750, AND 56‑5‑2942, CODE OF LAWS OF SOUTH CAROLINA, 1976, ALL RELATING TO THE APPLICATION OF RESTRICTIONS ON A PERSON’S DRIVER’S LICENSE, FEES ASSESSED FOR THE REINSTATEMENT OF A DRIVER’S LICENSE, THE SURRENDER OF A DRIVER’S LICENSE WHEN THE LICENSE IS SUSPENDED OR REVOKED, THE PLACEMENT OF AN INTERLOCK DEVICE ON THE VEHICLES OF CERTAIN PERSONS WHO HAVE BEEN CONVICTED OF OPERATING A VEHICLE WHILE UNDER THE INFLUENCE OF ALCOHOL OR ANOTHER SUBSTANCE, PENALTIES IMPOSED UPON A PERSON WHO OPERATES A VEHICLE WITH A LICENSE THAT HAS BEEN CANCELED, SUSPENDED, OR REVOKED, THE FEE IMPOSED FOR EXPEDITING A REQUEST FOR A COPY OF CERTAIN DEPARTMENT OF MOTOR VEHICLES’ DOCUMENTS, THE SUSPENSION OF A DRIVER’S LICENSE AND THE ISSUANCE OF A SPECIAL RESTRICTED DRIVER’S LICENSE, THE ISSUANCE OF A COMMERCIAL DRIVER’S LICENSE, THE PERIOD FOR PROCURING A LICENSE PLATE FOR A MOTOR VEHICLE, THE ISSUANCE OF TEMPORARY LICENSE PLATES, AND THE TRANSFER OF A LICENSE PLATE FROM ONE VEHICLE TO ANOTHER VEHICLE, THE SUSPENSION OR REVOCATION OF A COMMERCIAL VEHICLE REGISTRATION CARD AND LICENSE PLATE, THE FEE TO OBTAIN AN IDENTIFIER, LICENSE PLATE SPECIFICATIONS AND THE ISSUANCE OF NEW LICENSE PLATES, THE TRANSFER OF A LICENSE PLATE FROM ONE VEHICLE TO ANOTHER VEHICLE, THE SUSPENSION OF A MOTOR VEHICLE LICENSE PLATE WHEN ITS DRIVER FAILS TO PAY A TOLL, THE DISPERSEMENT OF FEES COLLECTED FROM THE ISSUANCE OF CONSERVE SOUTH CAROLINA SPECIAL LICENSE PLATES, PENN CENTER SPECIAL LICENSE PLATES, SOUTH CAROLINA NURSES SPECIAL LICENSE PLATES, AMERICAN LEGION SPECIAL LICENSE PLATES, KEEP SOUTH CAROLINA BEAUTIFUL SPECIAL LICENSE PLATES, SOUTH CAROLINA ELKS ASSOCIATION SPECIAL LICENSE PLATES, CAROLINA PANTHERS SPECIAL LICENSE PLATES, SHARE THE ROAD SPECIAL LICENSE PLATES, SOUTH CAROLINA WILDLIFE SPECIAL LICENSE PLATES, SONS OF CONFEDERATE VETERANS SPECIAL LICENSE PLATES, FRATERNAL ORDER OF POLICE SPECIAL LICENSE PLATES, UNITED STATES ARMED SERVICES SPECIAL LICENSE PLATES, ARTS AWARENESS SPECIAL LICENSE PLATES, SALTWATER FISHING SPECIAL LICENSE PLATES, SUPPORT OUR TROOPS SPECIAL LICENSE PLATES, EMERGENCY MEDICAL SERVICE SPECIAL LICENSE PLATES, NATIVE AMERICAN SPECIAL LICENSE PLATES, SOUTH CAROLINA PEACH COUNCIL SPECIAL LICENSE PLATES, CAREER RESEARCH CENTERS OF THE CAROLINAS SPECIAL LICENSE PLATES, VIETNAM WAR VETERANS SPECIAL LICENSE PLATES, SOUTH CAROLINA AQUARIUM SPECIAL LICENSE PLATES, HUNTING ISLAND STATE PARK SPECIAL LICENSE PLATES, NONPROFIT ORGANIZATION SPECIAL LICENSE PLATES, SPECIAL LICENSE PLATES PRODUCTION AND DISTRIBUTION GUIDELINES, ROTARY INTERNATIONAL SPECIAL LICENSE PLATES, MARINE CORPS LEAGUE SPECIAL LICENSE PLATES, DUCKS UNLIMITED SPECIAL LICENSE PLATES, NASCAR SPECIAL LICENSE PLATES, MORRIS ISLAND LIGHTHOUSE SPECIAL LICENSE PLATES, GOD BLESS AMERICA SPECIAL LICENSE PLATES, NO MORE HOMELESS PETS SPECIAL LICENSE PLATES, HERITAGE CLASSIC FOUNDATION SPECIAL LICENSE PLATES, PARROT HEAD SPECIAL LICENSE PLATES, OPERATION DESERT STORM ‑ DESERT SHIELD VETERANS SPECIAL LICENSE PLATES, OPERATION ENDURING FREEDOM VETERANS SPECIAL LICENSE PLATES, OPERATION IRAQI FREEDOM VETERANS SPECIAL LICENSE PLATES, HISTORIC SPECIAL MOTOR VEHICLE SPECIAL LICENSE PLATES, SOUTH CAROLINA WILDLIFE FEDERATION SPECIAL LICENSE PLATES, MOTORCYCLE AWARENESS ALLIANCE SPECIAL LICENSE PLATES, A MOTOR VEHICLE DRIVER’S FAILURE TO STOP WHEN SIGNALED BY A LAW ENFORCEMENT VEHICLE, AND THE IMMOBILIZATION OF CERTAIN VEHICLES, ALL SO AS TO SUBSTITUTE THE TERM “DEPARTMENT OF MOTOR VEHICLES” FOR THE TERM “COMPTROLLER GENERAL”, AND TO MAKE TECHNICAL CHANGES.

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

SECTION 1. Section 56‑1‑170(B)(3) of the 1976 Code is amended to read:

“(3) The fee for each special restricted driver’s license is one hundred dollars, but no additional fee is due because of changes in the place and hours of employment, education, or residence. Of this fee, twenty dollars must be distributed to the general fund and eighty dollars must be placed by the ~~Comptroller General~~ Department of Motor Vehicles into the State Highway Fund as established by Section 57‑11‑20, to be distributed as provided in Section 11‑43‑167.”

SECTION 2. Section 56‑1‑390(2) of the 1976 Code is amended to read:

“(2) The fees collected by the Department of Motor Vehicles under this provision must be distributed as follows: seventy dollars must be placed by the ~~Comptroller General~~ department into the State Highway Fund as established by Section 57‑11‑20, to be distributed as provided in Section 11‑43‑167, and one dollar must be credited to the ‘Keep South Carolina Beautiful Fund’ established pursuant to Section 56‑3‑3950. From the ‘Keep South Carolina Beautiful Fund’, the Department of Transportation shall expend funds necessary to employ, within the Department of Transportation, a person with training in horticulture to administer a program for beautifying the rights‑of‑way along state highways and roads. The remainder of the fees collected pursuant to this section must be credited to the Department of Transportation State Non‑Federal Aid Highway Fund.”

SECTION 3. Section 56‑1‑395(G) of the 1976 Code is amended to read:

“(G) The payment program administrative fee of thirty‑five dollars must be placed by the ~~Comptroller General~~ department into the State Highway Fund as established by Section 57‑11‑20, to be distributed as provided in Section 11‑43‑167.”

SECTION 4. Section 56‑1‑400(A) of the 1976 Code is amended to read:

“(A) The Department of Motor Vehicles, upon suspending or revoking a license, shall require that the license be surrendered to the department. At the end of the suspension period, other than a suspension for reckless driving, driving under the influence of intoxicants, driving with an unlawful alcohol concentration, felony driving under the influence of intoxicants, or pursuant to the point system, the department shall issue a new license to the person. If the person has not held a license within the previous nine months, the department shall not issue or restore a license which has been suspended for reckless driving, driving under the influence of intoxicants, driving with an unlawful alcohol concentration, felony driving under the influence of intoxicants, or for violations under the point system, until the person has filed an application for a new license, submitted to an examination as upon an original application, and satisfied the department, after an investigation of the person’s driving ability, that it would be safe to grant the person the privilege of driving a motor vehicle on the public highways. The department, in the department’s discretion, where the suspension is for a violation under the point system, may waive the examination, application, and investigation. A record of the suspension must be endorsed on the license issued to the person, showing the grounds of the suspension. If a person is permitted to operate a motor vehicle only with an ignition interlock device installed pursuant to Section 56‑5‑2941, the restriction on the license issued to the person must conspicuously identify the person as a person who only may drive a motor vehicle with an ignition interlock device installed, and the restriction must be maintained on the license for the duration of the period for which the ignition interlock device must be maintained pursuant to Sections 56‑1‑286, 56‑5‑2945, and 56‑5‑2947, except if the conviction was for Section 56‑5‑750, 56‑5‑2951, or 56‑5‑2990. For purposes of Title 56, the license must be referred to as an ignition interlock restricted license. The fee for an ignition interlock restricted license is one hundred dollars, which shall be placed by the ~~Comptroller General~~ department into the State Highway Fund as established by Section 57‑11‑20, to be distributed as provided in Section 11‑43‑167. Unless the person establishes that the person is entitled to the exemption set forth in subsection (B), no ignition interlock restricted license may be issued by the department without written notification from the authorized ignition interlock service provider that the ignition interlock device has been installed and confirmed to be in working order. If a person chooses to not have an ignition interlock device installed when required by law, the license will remain suspended indefinitely. If the person subsequently decides to have the ignition interlock device installed, the device must be installed for the length of time set forth in Sections 56‑1‑286, 56‑5‑2945, and 56‑5‑2947, except if the conviction was for Section 56‑5‑750, 56‑5‑2951, or 56‑5‑2990. This provision does not affect nor bar the reckoning of prior offenses for reckless driving and driving under the influence of intoxicating liquor or narcotic drugs, as provided in Article 23, Chapter 5 of this title.”

SECTION 5. Section 56‑1‑460(A)(1)(e)(iii) of the 1976 Code is amended to read:

“(iii) The fee for a route restricted driver’s license issued pursuant to this item is one hundred dollars, but no additional fee is due when changes occur in the place and hours of employment, education, or residence. Of this fee, eighty dollars must be placed by the ~~Comptroller General~~ Department of Motor Vehicles into the State Highway Fund as established by Section 57‑11‑20, to be distributed as provided in Section 11‑43‑167. The remainder of the fees collected pursuant to this item must be credited to the Department of Transportation State Non‑Federal Aid Highway Fund.”

SECTION 6. Section 56‑1‑550 of the 1976 Code is amended to read:

“Section 56‑1‑550. The Department of Motor Vehicles may collect a fee not to exceed twenty dollars per document to expedite a request for copies of documents and records it maintains. This fee is in addition to the normal fees associated with the request. Expedited requests must be available within seventy‑two hours of receipt of the request and standard requests within thirty days. Nothing in this section may be construed as circumventing the requirements of Section 30‑4‑30 of the Freedom of Information Act. The funds collected pursuant to this section must be placed by the ~~Comptroller General~~ department into the State Highway Fund as established by Section 57‑11‑20, to be distributed as provided in Section 11‑43‑167.”

SECTION 7. Section 56‑1‑740(B)(3) of the 1976 Code is amended to read:

“(3) The fee for each special restricted driver’s license is one hundred dollars, but no additional fee is due because of changes in the place and hours of employment, education, or residence. Of this fee, eighty dollars must be placed by the ~~Comptroller General~~ Department of Motor Vehicles into the State Highway Fund as established by Section 57‑11‑20, to be distributed as provided in Section 11‑43‑167. The remainder of the fees collected pursuant to this section must be credited to the Department of Transportation State Non‑Federal Aid Highway Fund.”

SECTION 8. Section 56‑1‑746(D)(3) of the 1976 Code is amended to read:

“(3) The fee for a special restricted driver’s license is one hundred dollars, but no additional fee is due because of changes in the place and hours of employment, education, or residence. Twenty dollars of this fee must be deposited in the state general fund and eighty dollars must be placed by the ~~Comptroller General~~ Department of Motor Vehicles into the State Highway Fund as established by Section 57‑11‑20, to be distributed as provided in Section 11‑43‑167.”

SECTION 9. Section 56‑1‑2080(A)(1) of the 1976 Code is amended to read:

“(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~~.”

SECTION 10. Section 56‑3‑355 of the 1976 Code is amended to read:

“Section 56‑3‑355. The Department of Motor Vehicles must suspend, revoke, or not issue a registration card and license plate to a person for a commercial motor vehicle greater than twenty‑six thousand pounds which operates with an apportioned license plate if the commercial motor carrier who is responsible for the safety of the vehicle has been prohibited from operating by a federal agency. The registrant must promptly surrender to the department any item suspended or revoked under this section. If the registrant unlawfully refuses to surrender the suspended or revoked items as required under this section, the department, through its designated agents or by request to a county or municipal law enforcement agency, shall take possession of the suspended or revoked license plate and registration card. A registration card or license plate may not be reissued for that vehicle until the motor carrier has been allowed to operate by a federal agency or the vehicle is properly transferred to a motor carrier that is not prohibited from operating by a federal agency. Before a suspended vehicle registration card can be reinstated, a fee of fifty dollars for each registration card suspension must be paid to the department. The fifty dollar fee must be placed in 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~~.”

SECTION 11. Section 56‑3‑1230(A) of the 1976 Code is amended to read:

“(A) License plates must be at least six inches wide and not less than twelve inches in length and must show in bold characters the year of registration, the serial number, the full name or the abbreviation of the name of the State, and other distinctive markings the department may consider advisable to indicate the class of the weight of the vehicle for which the license plate was issued. The plate must be of a strength and quality to provide a minimum service of five years. A new license plate including personalized and special plates, but excluding license plates provided in Sections 56‑3‑660 and 56‑3‑670, must be provided by the department at intervals the department considers appropriate, but at least every six years. A new license plate for vehicles contained in Sections 56‑3‑660 and 56‑3‑670, must be provided by the department at intervals the department considers appropriate. Beginning with the vehicle registration and license fees required by this title which are collected after July 1, 2002, except for the fees collected pursuant to Sections 56‑3‑660 and 56‑3‑670, two dollars of each biennial fee and one dollar of each annual fee collected from the vehicle owner must be placed by the ~~Comptroller General~~ department in a special restricted account to be used solely by the ~~Department of Motor Vehicles~~ department for the costs associated with the production and issuance of new license plates. The department is not authorized to use this set aside money for any other purpose. License plates issued for vehicles in excess of twenty‑six thousand pounds must be issued biennially, and no revalidation sticker may be issued for the plates. License plates issued as permanent may be revalidated and replaced at intervals determined by the department.”

SECTION 12. Section 56‑3‑1290 of the 1976 Code is amended to read:

“Section 56‑3‑1290. The Department of Motor Vehicles, upon application and the payment of a fee of ten dollars, shall transfer the license plate assigned for one vehicle to another vehicle of the same general type owned or leased by the same person without a paid tax receipt for the vehicle. However, subsequent transfers of a license plate to the same vehicle may not be processed without a paid tax receipt based upon the value of the vehicle to which the plate is being transferred. Three dollars of the fees paid pursuant to this section must be deposited in the state general fund, and the remaining seven dollars must be placed by the ~~Comptroller General~~ department into the State Highway Fund as established by Section 57‑11‑20, to be distributed as provided in Section 11‑43‑167.”

SECTION 13. Section 56‑3‑1335 of the 1976 Code is amended to read:

“Section 56‑3‑1335. The Department of Motor Vehicles shall suspend a motor vehicle’s current registration and shall not register or reregister a motor vehicle that was operated when its driver failed to pay a toll and whose owner has an outstanding judgment for failure to pay a toll pursuant to Section 57‑5‑1495(E) entered against him. The suspension or denial of registration or reregistration shall remain in effect until the judgment is satisfied, evidence of the satisfaction has been provided to the Department of Motor Vehicles, and a reinstatement fee of fifty dollars has been paid. The reinstatement fee collected must be placed by the ~~Comptroller General~~ department into the State Highway Fund as established by Section 57‑11‑20, to be distributed as provided in Section 11‑43‑167.”

SECTION 14. Section 56‑3‑2545 of the 1976 Code is amended to read:

“Section 56‑3‑2545. Of the fees collected pursuant to this section, the ~~Comptroller General~~ department shall place sufficient funds into a special restricted account to be used by the ~~Department of Motor Vehicles~~ department to defray ~~the~~ its expenses ~~of the Department of Motor Vehicles~~ in producing and administering this special license plate. The remaining fees collected pursuant to this section must be credited to the South Carolina Conservation Bank Trust Fund established pursuant to Section 48‑59‑60 ~~of the 1976 Code~~.”

SECTION 15. Section 56‑3‑3500(B) of the 1976 Code is amended to read:

“(B) Notwithstanding any other provision of law, from the fees collected pursuant to this section, the ~~Comptroller General~~ department shall place sufficient funds into the State Highway Fund as established by Section 57‑11‑20, to be distributed as provided in Section 11‑43‑167, an amount equal to the expenses of the ~~Department of Motor Vehicles~~ department in producing and administering the special license plates. The remaining funds collected from the special motor vehicle license fee must be distributed to Penn Center, Inc., to support its activities.”

SECTION 16. Section 56‑3‑3600(B) of the 1976 Code is amended to read:

“(B) Of the fees collected pursuant to this section, the ~~Comptroller General~~ department shall place sufficient funds into the State Highway Fund as established by Section 57‑11‑20, to be distributed as provided in Section 11‑43‑167, an amount equal to the expenses of the ~~Department of Motor Vehicles~~ department in producing and administering this special license plate. The remaining funds collected from the special motor vehicle license fee must be distributed to the South Carolina Nurses Foundation to endow scholarships for all of the state’s registered nursing programs.”

SECTION 17. Section 56‑3‑3800(A) of the 1976 Code is amended to read:

“(A) The Department of Motor Vehicles may issue motor vehicle license plates to members of the American Legion for private motor vehicles and motorcycles registered in their names. The fee for this special license plate must be the regular motor vehicle license fee contained in Article 5, Chapter 3 of this title, the special fee required by Section 56‑3‑2020, and an additional special fee of forty dollars that must be distributed to the South Carolina American Legion. The forty‑dollar special fee must be deposited in an account designated by the South Carolina American Legion, and must be used to off‑set the expenses associated with the South Carolina Boys and Girls State Program. Notwithstanding any other provision of law, of the fees collected in accordance with Section 56‑3‑2020 for the special license plate, the ~~Comptroller General~~ department shall place sufficient funds into a special restricted account to be used by the ~~Department of Motor Vehicles~~ department to defray the expenses of the ~~Department of Motor Vehicles~~ department in producing and administering the special plate. The license plates issued pursuant to this section must conform to a design agreed to by the department and the chief executive officer of the organization.”

SECTION 18. Section 56‑3‑3950 of the 1976 Code is amended to read:

“Section 56‑3‑3950. The department may issue a special commemorative ‘Keep It Beautiful’ motor vehicle license plate for use by owners on their private passenger motor vehicles to establish a special fund to be used by the Department of Transportation for the purposes of enhancing the state’s roads and highways. These enhancements may include landscaping, wildflower plantings, scenic easements, or other highway enhancement projects. The Department of Transportation, in implementing this program, may not expend beautification funds for wildflowers without prior approval of the South Carolina Department of Agriculture. The Department of Agriculture shall ensure, before granting approval, that the varieties of wildflowers used in beautification are not harmful to agriculture at or near a proposed project. The biennial fee for the commemorative license plate is fifty‑four dollars. Notwithstanding any other provision of law, of the fees collected for this special license plate, the ~~Comptroller General~~ department shall place into the State Highway Fund as established by Section 57‑11‑20, to be distributed as provided in Section 11‑43‑167, an amount equal to the department’s expenses in producing and administering this special license plate. Any remaining funds must be placed in a special ‘Highway Beautification Fund’ established within and administered by the Department of Transportation. This biennial fee is in addition to the regular motor vehicle registration fee set forth in Article 5, Chapter 7 of this title. The commemorative plate must be of the same size and general design of regular motor vehicle license plates and must be imprinted with the words ‘Keep It Beautiful’. The plates must be issued or revalidated for a biennial period which expires twenty‑four months from the month they are issued.”

SECTION 19. Section 56‑3‑4100(B) of the 1976 Code is amended to read:

“(B) Notwithstanding any other provision of law, of the fees collected for the special license plate, the ~~Comptroller General~~ Department of Motor Vehicles shall place into the State Highway Fund as established by Section 57‑11‑20, to be distributed as provided in Section 11‑43‑167, an amount equal to the expenses of the ~~Department of Motor Vehicles~~ department in producing and administering the special license plate. Any remaining funds must be deposited in a special account, separate and apart from the general fund, designated for use by the South Carolina Elks Association to be used to support its Alzheimer’s state project.”

SECTION 20. Section 56‑3‑4200(C) of the 1976 Code is amended to read:

“(C) Notwithstanding another provision of law, from the fees collected pursuant to this section, the ~~Comptroller General~~ Department of Motor Vehicles shall place into the State Highway Fund as established by Section 57‑11‑20, to be distributed as provided in Section 11‑43‑167, an amount equal to the expenses of the department in producing and administering the plates. The remaining funds collected from the special motor vehicle license fee must be distributed to the South Carolina Department of Parks, Recreation and Tourism and used by the State Park Service for recreational enhancements and improvements.”

SECTION 21. Section 56‑3‑4410(B) of the 1976 Code is amended to read:

“(B) Notwithstanding any other provision of law, from the fees collected pursuant to this section, the ~~Comptroller General~~ Department of Motor Vehicles shall place into the State Highway Fund as established by Section 57‑11‑20, to be distributed as provided in Section 11‑43‑167, an amount equal to the expenses of the Department of Motor Vehicles in producing and administering the special license plates. The remaining funds collected from the special motor vehicle license fee must be distributed to the Palmetto Cycling Coalition, Inc., or another nonprofit fund designated by the Palmetto Cycling Coalition, Inc., for the promotion of bicycling safety and education programs. Any remaining funds must be administered by the Palmetto Cycling Coalition, Inc., used only for efforts to promote bicycle safety and education programs, and deposited in an appropriate nonprofit account designated by the Palmetto Cycling Coalition, Inc.”

SECTION 22. Section 56‑3‑4510(C) of the 1976 Code is amended to read:

“(C) Of the fees collected pursuant to this section, the ~~Comptroller General~~ department shall place into the State Highway Fund as established by Section 57‑11‑20, to be distributed as provided in Section 11‑43‑167, an amount equal to the expenses of the department in producing and administering this special license plate collection. The remaining funds collected from each special motor vehicle license plate fee must be deposited in the Game Protection Fund provided for in Title 50.”

SECTION 23. Section 56‑3‑4800(B) of the 1976 Code is amended to read:

“(B) Of the fees collected pursuant to this section, the ~~Comptroller General~~ department shall place into the State Highway Fund as established by Section 57‑11‑20, to be distributed as provided in Section 11‑43‑167, an amount equal to the expenses of the department in producing and administering this special license plate. The remaining funds collected from the special motor vehicle license fee must be distributed to the South Carolina Division of the Sons of Confederate Veterans.”

SECTION 24. Section 56‑3‑5400(B) of the 1976 Code is amended to read:

“(B) Of the fees collected pursuant to this section, the ~~Comptroller General shall place~~ department shall place into the State Highway Fund, ~~the regular motor vehicle license fee into the State Highway Fund~~ as established by Section 57‑11‑20, to be distributed as provided in Section 11‑43‑167 an amount equal to the expenses of the department in producing and administering this special license plate. The remaining funds collected from the special motor vehicle license fee must be distributed to the State Lodge of the Fraternal Order of Police to be used to support the families of officers killed in the line of duty.”

SECTION 25. Section 56‑3‑6000(B) of the 1976 Code is amended to read:

“(B) Notwithstanding any other provision of law, from the fees collected pursuant to this section, the ~~Comptroller General~~ department shall place sufficient funds into ~~a special restricted account to be used~~ ~~by the Department of Motor Vehicles~~ the State Highway Fund, as established by Section 57‑11‑20, to be distributed as provided in Section 11‑43‑167, an amount equal to the expenses of the department ~~to defray the expenses of the Department of Motor Vehicles~~ in producing and administering ~~the~~ this special license ~~plates~~ plate. The remaining funds collected from the special motor vehicle license plate fee must be disbursed in equal amounts to the various county Veterans’ Administration offices to be used for operational expenses.”

SECTION 26. Section 56‑3‑7200(B) of the 1976 Code is amended to read:

“(B) Of the fees collected pursuant to this section, the ~~Comptroller General~~ department shall place into the State Highway Fund as established by Section 57‑11‑20, to be distributed as provided in Section 11‑43‑167, an amount equal to the expenses of the department in producing and administering this special license plate. The remaining funds collected from the special motor vehicle license fee must be deposited in a separate fund for the South Carolina Arts Commission and be used solely to support activities that build a thriving arts environment in South Carolina.”

SECTION 27. Section 56‑3‑7300(B) of the 1976 Code is amended to read:

“(B) Notwithstanding any other provision of law, from the fees collected pursuant to this section, the ~~Comptroller General~~ Department of Motor Vehicles shall place into the State Highway Fund as established by Section 57‑11‑20, to be distributed as provided in Section 11‑43‑167, an amount equal to the expenses of the ~~Department of Motor Vehicles~~ department in producing and administering the special license plates. The remaining funds collected from the special motor vehicle license fee must be deposited in a special account, separate and apart from the general fund, established within and administered by the Department of Natural Resources to manage and conserve the marine resources of the State.”

SECTION 28. Section 56‑3‑7310 of the 1976 Code is amended to read:

“Section 56‑3‑7310. The Department of Motor Vehicles may issue ‘Support Our Troops’ special license plates to owners of private passenger motor vehicles registered in their names. The requirements for production and distribution of the plate are those set forth in Section 56‑3‑8100. The biennial fee for this plate is the regular registration fee set forth in Article 5, Chapter 3 of this title plus an additional fee of thirty dollars. The ~~Comptroller General~~ department shall place into the State Highway Fund as established by Section 57‑11‑20, to be distributed as provided in Section 11‑43‑167, an amount equal to defray costs of production and distribution. Any portion of the additional thirty‑dollar fee not placed in the State Highway Fund by the ~~Comptroller General~~ department must be distributed to Support Our Troops, Inc.”

SECTION 29. Section 56‑3‑7320 of the 1976 Code is amended to read:

“Section 56‑3‑7320. The Department of Motor Vehicles may issue ‘Emergency Medical Service’ special license plates to owners of private passenger motor vehicles registered in their names. The requirements for production and distribution of the plate are those set forth in Section 56‑3‑8100. The biennial fee for this plate is the regular registration fee set forth in Article 5, Chapter 3 of this title plus an additional fee of thirty dollars. The ~~Comptroller General~~ department shall place into the State Highway Fund as established by Section 57‑11‑20, to be distributed as provided in Section 11‑43‑167, an amount equal to the department’s costs of production and distribution. Any portion of the additional thirty‑dollar fee not placed in the State Highway Fund ~~by the Comptroller General~~ must be distributed to the South Carolina Emergency Medical Services Association.”

SECTION 30. Section 56‑3‑7330(B)(2) of the 1976 Code is amended to read:

“(2) Of the fees collected pursuant to this section, the ~~Comptroller General~~ Department of Motor Vehicles shall place into the State Highway Fund as established by Section 57‑11‑20, to be distributed as provided in Section 11‑43‑167, an amount equal to the cost of production. That portion of the fees collected pursuant to this section in excess of the cost of production must be distributed to the South Carolina Indian Waters Council, Boy Scouts of America, to then be distributed to the other five Boy Scout councils serving counties in South Carolina.”

SECTION 31. Section 56‑3‑7340 of the 1976 Code is amended to read:

“Section 56‑3‑7340. ~~(A)~~ The Department of Motor Vehicles may issue ‘Native American’ special license plates to owners of private passenger motor vehicles registered in their names. The requirements for production and distribution of the plate are those set forth in Section 56‑3‑8100. The biennial fee for this plate is the regular registration fee set forth in Article 5, Chapter 3 of this title plus an additional fee of thirty dollars. The department shall place sufficient funds into the State Highway Fund, as established by Section 57‑11‑20, to be distributed as provided in Section 11‑43‑167, an amount equal to the expenses of the department in producing and administering this special license plate. Any portion of the additional thirty‑dollar fee not set aside by the ~~Comptroller General~~ department to defray costs of production and distribution must be distributed to the Native American Prison Program of South Carolina.”

SECTION 32. Section 56‑3‑7350 of the 1976 Code is amended to read:

“Section 56‑3‑7350. The Department of Motor Vehicles may issue ‘South Carolina Peach Council’ special license plates to owners of private passenger motor vehicles registered in their names. The requirements for production and distribution of the plate are those set forth in Section 56‑3‑8100. The biennial fee for this plate is the regular registration fee set forth in Article 5, Chapter 3 of this title plus an additional fee of seventy dollars. The department shall place sufficient funds into the State Highway Fund, as established by Section 57‑11‑20, to be distributed as provided in Section 11‑43‑167, an amount equal to the expenses of the department in producing and administering this special license plate. Any portion of the additional seventy‑dollar fee not set aside by the ~~Comptroller General~~ department to defray costs of production and distribution must be distributed to the South Carolina Peach Council.”

SECTION 33. Section 56‑3‑7370 of the 1976 Code is amended to read:

“Section 56‑3‑7370. The Department of Motor Vehicles may issue ‘Cancer Research Centers of the Carolinas’ special license plates to owners of private passenger motor vehicles registered in their names. The requirements for production and distribution of the plate are those set forth in Section 56‑3‑8100. The biennial fee for this plate is the regular registration fee set forth in Article 5, Chapter 3 of this title plus an additional fee of fifteen dollars. The department shall place sufficient funds into the State Highway Fund, as established by Section 57‑11‑20, to be distributed as provided in Section 11‑43‑167, an amount equal to the expenses of the department in producing and administering this special license plate. Any portion of the additional fifteen‑dollar fee not set aside by the ~~Comptroller General~~ department to defray costs of production and distribution must be distributed to the Mary Crawley Medical Cancer Research Foundation to provide funding for the Cancer Research Centers of the Carolinas.”

SECTION 34. Section 56‑3‑7780(B) of the 1976 Code is amended to read:

“(B) Notwithstanding any other provision of law, from the fees collected pursuant to this section, the ~~Comptroller General~~ department shall place into the State Highway Fund as established by Section 57‑11‑20, to be distributed as provided in Section 11‑43‑167, an amount equal to the expenses of the department in producing and administering the special license plates. The remaining funds collected from the special motor vehicle license fee must be placed in the state’s general fund.”

SECTION 35. Section 56‑3‑7800 of the 1976 Code is amended to read:

“Section 56‑3‑7800. The Department of Motor Vehicles may issue ‘South Carolina Aquarium’ special license plates to owners of private passenger motor vehicles registered in their names. The requirements for production and distribution of the plate are those set forth in Section 56‑3‑8100. The biennial fee for this plate is the regular registration fee set forth in Article 5, Chapter 3 of this title plus an additional fee of fifty dollars. The department shall place sufficient funds into the State Highway Fund, as established by Section 57‑11‑20, to be distributed as provided in Section 11‑43‑167, an amount equal to the expenses of the department in producing and administering this special license plate. Any portion of the additional fifty‑dollar fee not set aside by the ~~Comptroller General~~ department to defray costs of production and distribution must be distributed to the South Carolina Aquarium.”

SECTION 36. Section 56‑3‑7950(B) of the 1976 Code is amended to read:

“(B) Of the fees collected pursuant to this section, the ~~Comptroller General~~ department shall place into the State Highway Fund as established by Section 57‑11‑20, to be distributed as provided in Section 11‑43‑167, an amount equal to the expenses of the department in producing and administering this special license plate. The remaining funds collected from the special motor vehicle license fee must be distributed to The Friends of Hunting Island State Park, Inc., for use on projects benefiting Hunting Island State Park.”

SECTION 37. Section 56‑3‑8000(C) of the 1976 Code is amended to read:

“(C) The license plates must be issued or revalidated for a biennial period which expires twenty‑four months from the month it is issued. The biennial fee for this special license plate is the regular registration fee set forth in Article 5, Chapter 3 of this title plus an additional fee to be requested by the individual or organization seeking issuance of the license plate. The initial fee amount requested may be changed only every five years from the first year the license plate is issued. Of the additional fee collected pursuant to this section, the ~~Comptroller General~~ department shall place into the State Highway Fund as established by Section 57‑11‑20, to be distributed as provided in Section 11‑43‑167, an amount equal to the expenses of producing and administering special license plates. Any of the remaining fee not placed in the restricted account must be distributed to an organization designated by the individual or organization seeking issuance of the license plate.”

SECTION 38. Section 56‑3‑8200(A) of the 1976 Code is amended to read:

“(A) The Department of Motor Vehicles may issue motor vehicle license plates to members of Rotary International for private passenger motor vehicles registered in their names. The fee for this special license plate must be the regular motor vehicle license fee contained in Article 5, Chapter 3 of this title, and an additional special fee of fifty dollars which must be distributed to the Rotary District in which the purchaser’s home club is located in this State. The department must report to the South Carolina Rotary District designee the district chosen as a result of the license plate issuance to which this fee must be distributed. The fee must be deposited in an account designated by each South Carolina Rotary District, and must be distributed properly by each district. Notwithstanding any other provision of law, of the fees collected for the special license plate, the ~~Comptroller General~~ department shall place into the State Highway Fund as established by Section 57‑11‑20, to be distributed as provided in Section 11‑43‑167, an amount equal to the expenses of the Department of Motor Vehicles in producing and administering the special plate. The license plates issued pursuant to this section must conform to a design agreed to by the department and the chief executive officer of the organization.”

SECTION 39. Section 56‑3‑8300(A) of the 1976 Code is amended to read:

“(A) The Department of Motor Vehicles may issue special motor vehicle license plates to members of the Marine Corps League for private passenger motor vehicles and motorcycles registered in their names. The fee for this license plate is the fee set forth for special license plates in Section 56‑3‑8100. The ~~Comptroller General~~ department shall place into the State Highway Fund as established by Section 57‑11‑20, to be distributed as provided in Section 11‑43‑167, an amount equal to the cost of production and distribution of this special license plate. Any portion of the additional thirty‑dollar fee not placed in the State Highway Fund by the ~~Comptroller General~~ department must be distributed to the South Carolina Department of the Marine Corps League. The license plates issued pursuant to this section must conform to a design agreed to by the department and the chief executive officer of the organization.”

SECTION 40. Section 56‑3‑8600(B) of the 1976 Code is amended to read:

“(B) Notwithstanding any other provision of law, from the fees collected pursuant to this section, the ~~Comptroller General~~ department shall place into the State Highway Fund as established by Section 57‑11‑20, to be distributed as provided in Section 11‑43‑167, an amount equal to the expenses of the department in producing and administering the plates. The remaining funds collected from the special motor vehicle license fee must be distributed to the South Carolina Ducks Unlimited State Committee for wetlands conservation projects in South Carolina. Any remaining funds must be administered by the South Carolina Ducks Unlimited State Committee and deposited in an appropriate nonprofit account designated by the South Carolina Ducks Unlimited State Committee.”

SECTION 41. The introductory paragraph of Section 56‑3‑8710(C) of the 1976 Code is amended to read:

“(C) From the fees collected pursuant to this section, the ~~Comptroller General~~ department shall place into the State Highway Fund as established by Section 57‑11‑20, to be distributed as provided in Section 11‑43‑167, an amount equal to the expenses of producing the special license plates. The remaining funds must be distributed in the following manner:”

SECTION 42. Section 56‑3‑9400(B) of the 1976 Code is amended to read:

“(B) Notwithstanding any other provision of law, from the fees collected pursuant to this section, the ~~Comptroller General~~ department shall place into the State Highway Fund as established by Section 57‑11‑20, to be distributed as provided in Section 11‑43‑167, an amount equal to the expenses of the Department of Motor Vehicles in producing and administering the special license plates. The remaining funds collected from the special motor vehicle license fee must be distributed to Save the Light, Inc., or another nonprofit fund designated by Save the Light, Inc., for the restoration and preservation of the Morris Island Lighthouse. Any remaining funds must be administered by Save the Light, Inc., used only for efforts to restore and preserve the Morris Island Lighthouse, and deposited in an appropriate nonprofit account designated by Save the Light, Inc.”

SECTION 43. Section 56‑3‑9500(B) of the 1976 Code is amended to read:

“(B) Notwithstanding any other provision of law, from the fees collected pursuant to this section, the ~~Comptroller General~~ department shall place sufficient funds into ~~a special restricted account to be used by the Department of Motor Vehicles to defray the expenses of the Department of Motor Vehicles~~ the State Highway Fund, as established by Section 57‑11‑20, to be distributed as provided in Section 11‑43‑167, an amount equal to the expenses of the department in producing and administering the special license plates. The remaining funds collected from the special motor vehicle license fee must be designated for use by the South Carolina National guard for homeland security.”

SECTION 44. Section 56‑3‑9600(B) of the 1976 Code is amended to read:

“(B) Notwithstanding any other provision of law, of the fees collected pursuant to this section, the ~~Comptroller General~~ department shall place into the State Highway Fund as established by Section 57‑11‑20, to be distributed as provided in Section 11‑43‑167, an amount equal to the expenses of the Department of Motor Vehicles in producing and administering the special license plates. The remaining funds collected from the special motor vehicle license fee must be deposited in a special account, separate and apart from the general fund, designated for use by the South Carolina Department of Agriculture to support local animal spaying and neutering programs. The South Carolina Department of Agriculture may use up to ten percent of the fees deposited in the special account for the administration of the program. Local private nonprofit tax exempt organizations offering animal spaying and neutering programs may apply for grants from this fund to further their tax exempt purposes. Grants must be awarded not more than once a year, and an applicant must receive as a grant an amount of the total revenues in the fund multiplied by the percentage that the applicant’s caseload in the preceding calendar year was of the total caseload of all applicants in that year. The South Carolina Animal Care and Control Association (SCACCA), or its successor organization, on behalf of the tax exempt organizations, shall coordinate the grant program, make the request for reimbursement from the Department of Agriculture, and distribute the individual grants to the participating tax exempt organizations.”

SECTION 45. Section 56‑3‑9710(B) of the 1976 Code is amended to read:

“(B) Of the fees collected pursuant to this section, the ~~Comptroller General~~ department shall place into the State Highway Fund as established by Section 57‑11‑20, to be distributed as provided in Section 11‑43‑167, an amount equal to the expenses of the Department of Motor Vehicles in producing and administering this special license plate. The remaining funds collected from the special motor vehicle license fee must be distributed to the Heritage Classic Foundation.”

SECTION 46. Section 56‑3‑10010(B) of the 1976 Code is amended to read:

“(B) From the fees collected pursuant to this article, the ~~Comptroller General~~ department shall place into the State Highway Fund as established by Section 57‑11‑20, to be distributed as provided in Section 11‑43‑167, an amount equal to the expenses associated with producing and administering the distribution of the license plate. The remaining funds collected from the special motor vehicle license fee shall be distributed to the South Carolina Parrot Head Club Council, which shall only use the funds to support the Palmetto Chapter of the Alzheimer’s Association and the Upstate South Carolina Chapter of the Alzheimer’s Association.”

SECTION 47. Section 56‑3‑10110(B) of the 1976 Code is amended to read:

“(B) Notwithstanding any other provision of law, from the fees collected pursuant to this section, the ~~Comptroller General~~ department shall place sufficient funds into ~~a special restricted account to be used by the Department of Motor Vehicles to defray the expenses of~~ the State Highway Fund, as established by Section 57‑11‑20, to be distributed as provided in Section 11‑43‑167, an amount equal to the expenses of the department in producing and administering ~~the~~ this special license plates. The remaining funds collected from the special motor vehicle license fee must be placed in the state’s general fund.”

SECTION 48. Section 56‑3‑10210(B) of the 1976 Code is amended to read:

“(B) Notwithstanding any other provision of law, from the fees collected pursuant to this section, the ~~Comptroller General~~ department shall place sufficient funds into ~~a special restricted account to be used by the Department of Motor Vehicles to defray~~ t~~he expenses of~~ the State Highway Fund, as established by Section 57‑11‑20, to be distributed as provided in Section 11‑43‑167, an amount equal to the expenses of the department in producing and administering ~~the~~ this special license ~~plates~~ plate. The remaining funds collected from the special motor vehicle license fee must be placed in the state’s general fund.”

SECTION 49. Section 56‑3‑10310(B) of the 1976 Code is amended to read:

“(B) Notwithstanding any other provision of law, from the fees collected pursuant to this section, the ~~Comptroller General~~ department shall place sufficient funds into ~~a special restricted account to be used by the Department of Motor Vehicles to defray~~ ~~the expenses~~ the State Highway Fund, as established by Section 57‑11‑20, to be distributed as provided in Section 11‑43‑167, an amount equal to the expenses of the department in producing and administering ~~the~~ this special license ~~plates~~ plate. The remaining funds collected from the special motor vehicle license fee must be placed in the state’s general fund.”

SECTION 50. Section 56‑3‑11450 of the 1976 Code is amended to read:

“Section 56‑3‑11450. The fee for the plate is the regular motor vehicle registration fee contained in Article 5, Chapter 3 of this title and a special motor vehicle license fee of thirty‑five dollars. Notwithstanding another provision of law, from the fees collected pursuant to this section, the ~~Comptroller General~~ department shall place sufficient funds into ~~a special restricted account to be used by the~~ ~~Department of Motor Vehicles to defray the expenses of~~ the State Highway Fund, as established by Section 57‑11‑20, to be distributed as provided in Section 11‑43‑167, an amount equal to the expenses of the department in producing and administering ~~the~~ this special license ~~plates~~ plate. The remaining funds collected from the special motor vehicle license fee must be placed in the state’s general fund.”

SECTION 51. Section 56‑3‑12610(B) of the 1976 Code is amended to read:

“(B) Notwithstanding another provision of law, from the fees collected pursuant to this section, the ~~Comptroller General~~ department shall place sufficient funds into ~~a special restricted account to be used by the department to defray the expenses~~ the State Highway Fund, as established by Section 57‑11‑20, to be distributed as provided in Section 11‑43‑167, an amount equal to the expenses of the department in producing and administering ~~the plates~~ this special license plate. The remaining funds collected from the special motor vehicle license fee must be distributed to the South Carolina Wildlife Federation for conservation programs in South Carolina.”

SECTION 52. Section 56‑3‑13310(B) of the 1976 Code is amended to read:

“(B) Notwithstanding any other provision of law, from the fees collected pursuant to this section, the ~~Comptroller General~~ department shall place sufficient funds into ~~a special restricted account to be used by the Department of Motor Vehicles to defray the expenses of the Department of Motor Vehicles~~ the State Highway Fund, as established by Section 57‑11‑20, to be distributed as provided in Section 11‑43‑167, an amount equal to the expenses of the department in producing and administering ~~the~~ this special license ~~plates~~ plate. The remaining funds collected from the special motor vehicle license plate fee must be distributed to the Motorcycle Awareness Alliance for the promotion of motorcycle safety, education and awareness programs and deposited into an appropriate nonprofit account designated by the Motorcycle Awareness Alliance.”

SECTION 53. Section 56‑5‑750(G)(3) of the 1976 Code is amended to read:

“(3) The fee for each special restricted driver’s license is one hundred dollars, but no additional fee is due because of changes in the place and hours of employment, education, or residence. Of this fee twenty dollars must be distributed to the general fund and eighty dollars must be placed by the ~~Comptroller General~~ department into the State Highway Fund as established by Section 57‑11‑20, to be distributed as provided in Section 11‑43‑167.”

SECTION 54. Section 56‑5‑2942(J) of the 1976 Code is amended to read:

“(J) A fee of fifty dollars must be paid to the department for each motor vehicle that was suspended before any of the suspended registrations and license plates may be registered or before the motor vehicle may be released pursuant to subsection (F). This fee must be placed by the ~~Comptroller General~~ department into the State Highway Fund as established by Section 57‑11‑20, to be distributed as provided in Section 11‑43‑167.”

SECTION 55. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 56. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this , and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 57. This act takes effect upon approval by the Governor.

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