**A** **BILL**

TO AMEND ARTICLE 1, CHAPTER 5, TITLE 56 OF THE 1976 CODE, RELATING TO THE UNIFORM ACT REGULATING TRAFFIC ON HIGHWAYS, BY ADDING SECTION 56-5-100, TO PROVIDE THAT THE IMPLEMENTATION OR USE OF A MOTOR CARRIER SAFETY IMPROVEMENT THAT IS REQUIRED BY A COMPANY ENGAGING IN THE OPERATION OF A COMMERCIAL MOTOR VEHICLE SHALL NOT BE CONSIDERED IN ANY EVALUATION OF AN INDIVIDUAL’S STATUS AS AN EMPLOYEE, JOINT EMPLOYEE, OR INDEPENDENT CONTRACTOR OF THE COMPANY UNDER STATE LAW; AND TO DEFINE NECESSARY TERMS.

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

SECTION 1. Article 1, Chapter 5, Title 56 of the 1976 Code is amended by adding:

“Section 56-5-100. (A) For the purposes of this section, ‘motor carrier safety improvement’ means any device, equipment, software, technology, procedure, training, policy, program, or operational practice intended and primarily used to facilitate or improve:

(1) the safety of a motor carrier or commercial motor vehicle, as defined in Section 12-37-2810;

(2) compliance with traffic safety laws relating to motor carriers or commercial motor vehicles; or

(3) the safety of third-party users of public roads.

(B) The deployment, implementation or use of a motor carrier safety improvement by or as required by a motor carrier or its related entity, including by contract, shall not be considered in any evaluation of an individual’s status as an employee, joint employee, or independent contractor under any state law.”

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

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