**South Carolina General Assembly**

125th Session, 2023-2024

**H. 3160**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Stavrinakis, Gilliard and Rivers

Document Path: LC-0021HA23.docx

Introduced in the House on January 10, 2023

Introduced in the Senate on March 12, 2024

Currently residing in the Senate Committee on **Transportation**

Summary: Transportation Network Companies

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/8/2022 House Prefiled

12/8/2022 House Referred to Committee on **Education and Public Works**

1/10/2023 House Introduced and read first time ([House Journal‑page 81](h:\hj\20230110.docx))

1/10/2023 House Referred to Committee on **Education and Public Works** ([House Journal‑page 81](h:\hj\20230110.docx))

2/28/2024 House Committee report: Favorable **Education and Public Works** ([House Journal‑page 9](h:\hj\20240228.docx))

3/5/2024 House Member(s) request name added as sponsor: Gilliard

3/6/2024 House Member(s) request name added as sponsor: Rivers

3/6/2024 House Read second time ([House Journal‑page 46](h:\hj\20240306.docx))

3/6/2024 House Roll call Yeas-110 Nays-0 ([House Journal‑page 46](h:\hj\20240306.docx))

3/7/2024 House Read third time and sent to Senate ([House Journal‑page 20](h:\hj\20240307.docx))

3/12/2024 Senate Introduced and read first time ([Senate Journal‑page 5](h:\sj\20240312.docx))

3/12/2024 Senate Referred to Committee on **Transportation** ([Senate Journal‑page 5](h:\sj\20240312.docx))

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=3160&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[12/08/2022](https://www.scstatehouse.gov/sess125_2023-2024/prever/3160_20221208.docx)

[02/28/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/3160_20240228.docx)

Indicates Matter Stricken

Indicates New Matter

Committee Report

February 28, 2024

H. 3160

Introduced by Rep. Stavrinakis

S. Printed 02/28/24--H.

Read the first time January 10, 2023

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The committee on House Education and Public Works

To whom was referred a Bill (H. 3160) to amend the South Carolina Code of Laws by amending Section 58-23-1610, relating to definitions applicable to the Transportation Network Company Act, so as to revise, etc., respectfully

Report:

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

SHANNON ERICKSON for Committee.

statement of estimated fiscal impact

Explanation of Fiscal Impact

State Expenditure

This bill makes changes to the “Personal vehicle” and “Prearranged ride” definitions that are applicable to the TNC Act. The bill states that a personal vehicle may also be, but is not required to be, registered or licensed as a charter limousine with PSC or as a limousine or other for-hire vehicle by the governing body of a county or city.

Public Service Commission. The bill will have no expenditure impact on PSC since the commission can manage any increase in contested cases regarding TNC applications and permits with existing resources and staff.

Office of Regulatory Staff. The bill will have no expenditure impact on ORS since the agency can manage the responsibilities of the bill with existing resources and staff.

Department of Revenue. The bill will have no expenditure impact on DOR as it does not operationally or fiscally impact the department.

Department of Motor Vehicles. The bill will have no expenditure impact on DMV as it does not operationally or fiscally impact the department.

State Revenue

This bill makes changes to the “Personal vehicle” and “Prearranged ride” definitions that are applicable to the TNC Act. The bill states that a personal vehicle may also be, but is not required to be, registered or licensed as a charter limousine with PSC or as a limousine or other for-hire vehicle by the governing body of a county or city.

ORS states that there are 243 active Class C Charter certificate holders (entities) with a total of 606 active vehicles registered with the agency. The agency cannot provide an estimate on how many of these charter limousines may start providing services as a TNC under the proposed legislation. In addition, ORS indicates that the fee structure would not change for the agency if current TNC limousine personal vehicles would also choose to register as a charter limousine with ORS. ORS further indicates that the fee structure of charter limousines and TNC limousines will be the same. Under current legislation, TNCs are charged a local assessment fee of 1 percent of the gross trip fare. ORS retains 1 percent of the local assessment fee to cover its expenses related to the regulation of TNCs. Due to the permissive nature of the bill, it is unknown how many charter limousines may choose to operate as a TNC. Therefore, the impact on Other Funds revenue of ORS is undetermined.

Local Expenditure

MASC and Chesterfield County indicate that the bill will have no expenditure impact since the bill does not operationally impact local governments. Based on the response from Chesterfield, RFA expects no expenditure impact on county governments. We will update this impact statement if other county governments provide a different response.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

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A bill

to amend the South Carolina Code of Laws by amending Section 58-23-1610, relating to Definitions applicable to the transportation network company act, so as to revise the definition of “personal vehicle”; and by amending Section 58-23-1610, relating to definitions, so as to revise the definition of “prearranged ride”.

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

SECTION 1. Section 58-23-1610(2) of the S.C. Code is amended to read:

(2)(a) “Personal vehicle” means a vehicle that is used by a transportation network company driver in connection with providing a prearranged ride and is:

(a)(i) owned, leased, or otherwise authorized for use by the transportation network company driver; and

(b)(ii) not a taxi, or charter bus, charter limousine, or for-hire vehicle.

(b) A personal vehicle may be, but is not required to be, registered or licensed as a charter limousine with the South Carolina Public Service Commission or as a limousine or other for-hire vehicle by the governing body of a county or city.

SECTION 2. Section 58-23-1610(9) of the S.C. Code is amended to read:

(9) “Prearranged ride” means the provision of transportation by a transportation network company driver to a transportation network company rider, beginning when a driver accepts a ride requested by a rider through a digital network controlled by a transportation network company, continuing while the driver transports a requesting rider, and ending when the last requesting rider departs from the personal vehicle. A prearranged ride does not include shared expense carpool or vanpool arrangements, or transportation provided using a taxi, limousine, or other for-hire vehicle pursuant to a Class C certificate issued by the South Carolina Public Service Commission or pursuant to a license issued by the governing body of a county or city. A prearranged ride does not include services provided pursuant to Articles 1 through 15, Chapter 23, Title 58 or arranging nonemergency medical transportation for individuals qualifying for Medicaid or Medicare pursuant to a contract with the State or a managed care organization.

SECTION 3. This act takes effect upon approval by the Governor.

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