**South Carolina General Assembly**

125th Session, 2023-2024

**H. 5289**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Oremus

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Introduced in the House on March 20, 2024

Currently residing in the House Committee on **Ways and Means**

Summary: Department of Motor Vehicles

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

3/20/2024 House Introduced and read first time ([House Journal‑page 20](h:\hj\20240320.docx))

3/20/2024 House Referred to Committee on **Ways and Means** ([House Journal‑page 20](h:\hj\20240320.docx))

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=5289&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[03/20/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/5289_20240320.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-440, RELATING TO PENALTIES FOR DRIVING WITHOUT a LICENSE, and SUMMARY COURT JURISDICTION over these offenses, SO AS TO PROVIDE FOR THE SUSPENSION OF DRIVERS’ LICENSES FOR VIOLATIONS OF THIS SECTION, AND TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES SHALL POST ALL CONVICTIONS ON THE OFFENDERS’ DRIVING RECORDS; AND BY AMENDING SECTION 56-1-330, RELATING TO COURTS REPORTing CERTAIN CONVICTIONS to the department of motor vehicles, SO AS TO PROVIDE COURTS FAILING TO REPORT CERTAIN CONVICTIONS TO THE DEPARTMENT OF MOTOR VEHICLES SHALL RESULT IN THE LOSS OF STATE FUNDS TO THE LOCAL GOVERNMENTS WITH JURISDICTION OVER THE OFFENSES.

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

SECTION 1. Section 56-1-440 of the S.C. Code is amended to read:

Section 56-1-440. (A) A person who drives a motor vehicle on a public highway of this State without a driver’s license in violation of Section 56-1-20 is guilty of a misdemeanor and, upon conviction of a first offense, must be fined not less than fifty dollars nor more than one hundred dollars or imprisoned for thirty days and, upon conviction of a second offense, be fined five hundred dollars or imprisoned for forty-five days, or both and have his driver’s license suspended for thirty days, and for a third and subsequent offense must be imprisoned for not less than forty-five days nor more than six months and have his driver’s license suspended for one year. However, a charge of driving a motor vehicle without a driver’s license must be dismissed if the person provides proof of being a licensed driver at the time of the violation to the court on or before the date this matter is set to be disposed of by the court.

(B) The summary courts are vested with jurisdiction to hear and dispose of cases involving a violation of this section.

(C) The Department of Motor Vehicles shall post all convictions under this section for all in-state and out-of-state licensed and unlicensed drivers on the offenders’ driving records.

SECTION 2. Section 56-1-330 of the S.C. Code is amended to read:

Section 56-1-330. (A) Every court having jurisdiction over offenses committed under this article or other state laws or municipal ordinances regulating the operation of motor vehicles on highways shall forward to the Department of Motor Vehicles a record of the conviction of any person in such court for a violation of such laws other than regulations governing standing or parking where a matter of safety is not involved.

(B) A court’s failure to report a conviction for a violation of Section 56-1-20 to the department shall result in the loss of all state funds for the local government with jurisdiction over the offense for five years.

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

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