**South Carolina General Assembly**

126th Session, 2025-2026

**S. 15**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Hutto

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Prefiled in the Senate on December 11, 2024

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

Summary: Habitual Offender Moped Exemption

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/11/2024 Senate Prefiled

12/11/2024 Senate Referred to Committee on **Judiciary**

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**VERSIONS OF THIS BILL**

[12/11/2024](https://www.scstatehouse.gov/sess126_2025-2026/prever/15_20241211.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56‑1‑1100, RELATING TO PENALTIES FOR DRIVING VIOLATIONS, SO AS TO PROVIDE AN EXCEPTION FOR DRIVING A MOPED FOR A PERSON DECLARED AN HABITUAL OFFENDER, AND TO REMOVE THE REQUIREMENT THAT THE DEPARTMENT OF MOTOR VEHICLES PROVIDES SPECIFIC NOTICE TO THE ATTORNEY GENERAL OR THE APPROPRIATE SOLICITOR OF ANY VIOLATIONS OF THIS SECTION.

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

SECTION 1. Section 56‑1‑1100 of the S.C. Code is amended to read:

Section 56‑1‑1100. A person found to be an habitual offender under the provisions of this article, who subsequently is convicted of operating a motor vehicle, except for a moped when the operator is issued a valid moped operator’s license, in this State while the decision of the Department of Motor Vehicles prohibiting the operation is in effect, but not including any time the person may remain suspended past the suspension dates due to unmet reinstatement requirements, is guilty of a felony and must be imprisoned not more than five years.

For the purpose of enforcing this section, in any case in which the accused is charged with driving a motor vehicle while his driver's license or permit is suspended or revoked or is charged with driving without a license, the department, before hearing the charges, shall determine whether the person has been adjudged an habitual offender and is barred from operating a motor vehicle on the highways of this State. If the person is found to be an habitual offender, the department shall notify the solicitor or Attorney General and he shall cause the appropriate criminal charges to be lodged against the offender.

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

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