

SOUTH CAROLINA STATE REGISTER DISCLAIMER

While every attempt has been made to ensure the accuracy of this State Register, the printed version of the State Register, not the online version, is the official version. The Legislative Council makes no warranties or representations regarding its accuracy or completeness, and each user of this product understands that the Legislative Council disclaims any liability for any damages in connection with its use. This information is not intended for commercial use, and its dissemination by sale or other commercial transfer is not authorized, absent a written licensing agreement with the Legislative Council. For further information contact the Legislative Council at 803-212-4500.

SOUTH CAROLINA STATE REGISTER

PUBLISHED BY
THE LEGISLATIVE COUNCIL
of the
GENERAL ASSEMBLY

ASHLEY HARWELL-BEACH, DIRECTOR
DEIRDRE BREVARD SMITH, EDITOR
REBECCA FUDGER TURNER, ASSOCIATE EDITOR

P.O. BOX 11489
COLUMBIA, SC 29211
TELEPHONE (803) 212-4500

Published March 28, 2025

Volume 49 Issue No. 3

This issue contains notices, proposed regulations, emergency regulations, final form regulations, and other documents filed in the Office of the Legislative Council, pursuant to Article 1, Chapter 23, Title 1, Code of Laws of South Carolina, 1976.

SOUTH CAROLINA STATE REGISTER

An official state publication, the *South Carolina State Register* is a temporary update to South Carolina’s official compilation of agency regulations--the *South Carolina Code of Regulations*. Changes in regulations, whether by adoption, amendment, repeal, or emergency action must be published in the *State Register* pursuant to the provisions of the Administrative Procedures Act. The *State Register* also publishes the Governor’s Executive Orders, notices of public hearings and meetings, and other documents issued by state agencies considered to be in the public interest. All documents published in the *State Register* are drafted by state agencies and are published as submitted. Publication of any material in the *State Register* is the official notice of such information.

STYLE AND FORMAT

Documents are arranged within each issue of the *State Register* according to the type of document filed:

Pending Regulations Submitted to the General Assembly are regulations adopted by the agency pending approval by the General Assembly.

Executive Orders are actions issued and taken by the Governor.

Notices are documents considered by the agency to have general public interest.

Notices of Drafting Regulations give interested persons the opportunity to comment during the initial drafting period before regulations are submitted as a proposed regulation.

Proposed Regulations are those regulations pending permanent adoption by an agency.

Final Regulations have been permanently adopted by the agency and approved by the General Assembly.

Emergency Regulations have been adopted on an emergency basis by the agency.

2025 PUBLICATION SCHEDULE

Documents will be accepted for filing on any normal business day from 8:30 A.M. until 5:00 P.M. All documents must be submitted in the format prescribed in the *Standards Manual for Drafting and Filing Regulations*.

To be included for publication in the next issue of the *State Register*, documents must be submitted no later than 5:00 P.M. on the second Friday of each month. The modification or withdrawal of documents filed for publication must be made **by 5:00 P.M.** on the submission deadline for that issue.

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
Submission Deadline	1/10	2/14	3/14	4/11	5/9	6/13	7/11	8/8	9/12	10/10	11/14	12/12
Publishing Date	1/24	2/28	3/28	4/25	5/23	6/27	7/25	8/22	9/26	10/24	11/28	12/26

REPRODUCING OFFICIAL DOCUMENTS

Documents appearing in the *State Register* are prepared and printed at public expense. Media services are encouraged to give wide publicity to documents printed in the *State Register*.

PUBLIC INSPECTION OF DOCUMENTS

Documents filed with the Office of the State Register are available for public inspection during normal office hours, 8:30 A.M. to 5:00 P.M., Monday through Friday. The Office of the State Register is in the Legislative Council, Fourth Floor, Rembert C. Dennis Building, 1000 Assembly Street, in Columbia. Telephone inquiries concerning material in the *State Register* or the *South Carolina Code of Regulations* may be made by calling (803) 212-4500.

ADOPTION, AMENDMENT AND REPEAL OF REGULATIONS

To adopt, amend, or repeal a regulation, an agency must publish in the *State Register* a Notice of Drafting and a Notice of the Proposed Regulation that contains an estimate of the proposed action's economic impact and gives the public an opportunity to comment on the proposal. If requested by twenty-five persons, a public hearing must be held at least thirty days after the date of publication of the notice in the *State Register*.

After the date of hearing, the regulation must be submitted to the General Assembly for approval. The General Assembly has one-hundred-twenty days to consider the regulation. If no legislation is introduced to disapprove or enacted to approve the regulation before the expiration of the one-hundred-twenty-day review period, the regulation is approved on the one-hundred-twentieth day and is effective upon publication in the *State Register*.

EMERGENCY REGULATIONS

An emergency regulation may be promulgated by an agency if the agency finds imminent peril to public health, safety, or welfare. Emergency regulations are effective upon filing for a ninety-day period. If the original filing began and expired during the legislative interim, the regulation can be renewed once.

REGULATIONS PROMULGATED TO COMPLY WITH FEDERAL LAW

Regulations promulgated to comply with federal laws are exempt from General Assembly review. Following the notice of proposed regulation and hearing, regulations are submitted to the *State Register* and are effective upon publication.

EFFECTIVE DATE OF REGULATIONS

Final Regulations take effect on the date of publication in the *State Register* unless otherwise noted within the text of the regulation.

Emergency Regulations take effect upon filing with the Legislative Council and remain effective for ninety days. If the original ninety-day period begins and expires during the legislative interim, the regulation may be refiled for one additional ninety-day period.

SUBSCRIPTIONS

The *South Carolina State Register* is available electronically through the South Carolina Legislature Online website at www.scstatehouse.gov, or in a printed format. Subscriptions run concurrent with the State of South Carolina's fiscal year (July through June). The annual subscription fee for the printed format is \$90.00 plus applicable sales tax. Payment must be made by check payable to the Legislative Council. To subscribe, complete the form below and mail with payment.

X-----X-----X

South Carolina State Register **Subscription Order Form**

Name	Title
Firm	
Mailing Address	
Billing Address (if different from mailing address)	
Contact Person(s)	E-mail Address
Phone Number	Fax Number
Number of subscriptions: (Cost is \$90.00 plus applicable sales tax per subscription. Checks payable to: Legislative Council)	
	Printed

Mail this form to:
South Carolina State Register
Deirdre Brevard Smith, Editor
P.O. Box 11489
Columbia, SC 29211
Telephone: (803) 212-4500
Fax: (803) 212-450

TABLE OF CONTENTS

REGULATIONS SUBMITTED TO GENERAL ASSEMBLY

Status and Legislative Review Expiration Dates..... 1

EXECUTIVE ORDERS

Executive Order No. 2025-07 Transportation Waivers to Prepare for Winter
Weather Conditions 4

Executive Order No. 2025-08 Authorizing Leave with Pay Due to Winter
Weather 7

Executive Order No. 2025-09 Suspending North Charleston City Councilman
Mike A. Brown..... 8

Executive Order No. 2025-10 Declaring a State of Emergency Due to Existing
Wildfires and Enhanced Fire Risks 9

Executive Order No. 2025-11 Lowering Flags for Colonel Myron Charles
Harrington, Jr., USMC (Ret.)..... 15

Executive Order No. 2025-12 Authorizing Leave with Pay Due to Severe Weather 16

Executive Order No. 2025-13 Suspending Williamsburg County Sheriff, Appointing
Interim Williamsburg County Sheriff..... 17

NOTICES

**LABOR, LICENSING AND REGULATION, DEPARTMENT OF
Building Codes Council**

2024 International Codes and 2023 National Electrical Code..... 19

Public Hearing on 2024 International Codes and 2023 Electrical Code 19

PUBLIC HEALTH, DEPARTMENT OF

Certificate of Need 20

DRAFTING NOTICES

SOCIAL SERVICES, DEPARTMENT OF

Fair Hearings; Family Independence Program; and Food Stamp Program 21

Privacy of DSS Clients and Client Data..... 21

WORKERS' COMPENSATION COMMISSION, SOUTH CAROLINA

Self-Insurer's Proof of Compliance, Irrevocable Letter of Credit..... 22

TABLE OF CONTENTS

PROPOSED REGULATIONS

EDUCATION, STATE BOARD OF

Document No. 5371 Defined Program, Grades 9-12 and Graduation
Requirements.....23

FINAL REGULATIONS

LABOR, LICENSING AND REGULATION, DEPARTMENT OF

Occupational Safety and Health, Office of

Document No. 5372 Article 1, Subarticles 6 and 7: Hazardous Communication
Standard; COVID-19 Healthcare Recordkeeping and Reporting
Requirements; and Construction Personal Protective
Equipment (Exempt)25

NATURAL RESOURCES, DEPARTMENT OF

Document No. 5329 Additional Regulations Applicable to Specific Properties26

REGULATIONS SUBMITTED TO GENERAL ASSEMBLY 1

In order by General Assembly review expiration date
 The history, status, and full text of these regulations are available on the
 South Carolina General Assembly Home Page: <http://www.scstatehouse.gov/regnsrch.php>

DOC. NO.	RAT. NO.	FINAL ISSUE	SUBJECT	EXP. DATE	AGENCY	HOUSE COMMITTEE	SENATE COMMITTEE
5267			Article 6, Telecommunications Utilities	01/18/2026	Public Service Commission	Regs, Admin. Proc., AI & CS	Judiciary
5192			R.45-1, Definitions	01/18/2026	State Election Commission	Regs, Admin. Proc., AI & CS	Judiciary
5193			R.45-2, Instructions and Certification of Managers and Clerks in the Use of Vote Recorders	01/18/2026	State Election Commission	Regs, Admin. Proc., AI & CS	Judiciary
5194			R.45-3, Tabulating Center Personnel	01/18/2026	State Election Commission	Regs, Admin. Proc., AI & CS	Judiciary
5195			R.45-4, Certification of Program Instructions	01/18/2026	State Election Commission	Regs, Admin. Proc., AI & CS	Judiciary
5196			R.45-5, Ballot Envelopes and Fold Over Ballot Cards	01/18/2026	State Election Commission	Regs, Admin. Proc., AI & CS	Judiciary
5197			R.45-6, Defective Ballot Cards	01/18/2026	State Election Commission	Regs, Admin. Proc., AI & CS	Judiciary
5198			R.45-7, Ballot Cards, Sealed After Tabulation	01/18/2026	State Election Commission	Regs, Admin. Proc., AI & CS	Judiciary
5199			R.45-9, Write-in Ballots, Sealed After Tabulation	01/18/2026	State Election Commission	Regs, Admin. Proc., AI & CS	Judiciary
5201			Emergency Election Procedures	01/18/2026	State Election Commission	Regs, Admin. Proc., AI & CS	Judiciary
5202			Poll Worker Training; Candidate Withdrawals	01/18/2026	State Election Commission	Regs, Admin. Proc., AI & CS	Judiciary
5203			Procedures for Electronic Petitions	01/18/2026	State Election Commission	Regs, Admin. Proc., AI & CS	Judiciary
5204			R.45-10, Retention and Disposition of Certain Voting Records	01/18/2026	State Election Commission	Regs, Admin. Proc., AI & CS	Judiciary
5205			Reports to State Election Commission by County Boards of Voter Registration and Elections	01/18/2026	State Election Commission	Regs, Admin. Proc., AI & CS	Judiciary
5225			Retention and Storage of Election Records and Election Equipment	01/18/2026	State Election Commission	Regs, Admin. Proc., AI & CS	Judiciary
5242			Article 2, Motor Carriers	01/18/2026	Public Service Commission	Regs, Admin. Proc., AI & CS	Judiciary
5271			Procurement of Appraisal Services	01/18/2026	South Carolina Conservation Bank	Regs, Admin. Proc., AI & CS	Ag and Nat Resources
5275			Written Interrogatories and Request for Production of Documents and Things	01/18/2026	Public Service Commission	Regs, Admin. Proc., AI & CS	Judiciary
5285			Record Retention for Credit Unions	01/18/2026	State Board of Financial Institutions	Regs, Admin. Proc., AI & CS	Banking and Insurance
5281			Income and Expense Statements Re Dividends	01/18/2026	State Board of Financial Institutions	Regs, Admin. Proc., AI & CS	Banking and Insurance
5283			Authority to Engage in Activities Authorized for Federally Chartered Institutions	01/18/2026	State Board of Financial Institutions	Regs, Admin. Proc., AI & CS	Banking and Insurance
5289			Retention of Bank Records	01/18/2026	State Board of Financial Institutions	Regs, Admin. Proc., AI & CS	Banking and Insurance
5292			State Bank Dividends	01/18/2026	State Board of Financial Institutions	Regs, Admin. Proc., AI & CS	Banking and Insurance
5286			Declaration of Dividends by State-chartered Credit Unions	01/18/2026	State Board of Financial Institutions	Regs, Admin. Proc., AI & CS	Banking and Insurance
5293			Terms and Conditions for State-chartered Credit Union to Make ARM Loans	01/18/2026	State Board of Financial Institutions	Regs, Admin. Proc., AI & CS	Banking and Insurance
5290			Electronic Fund Transfers	01/18/2026	State Board of Financial Institutions	Regs, Admin. Proc., AI & CS	Banking and Insurance
5302			Investigation of Events Requiring Withdrawal of Certification; Notification of Officer Sanctions	01/18/2026	South Carolina Criminal Justice Academy	Regs, Admin. Proc., AI & CS	Judiciary
5304			Insurance Holding Company Systems	01/18/2026	South Carolina Criminal Justice Academy	Regs, Admin. Proc., AI & CS	Judiciary
5320			Insurance Holding Company Systems	01/18/2026	Department of Insurance	Regs, Admin. Proc., AI & CS	Banking and Insurance
5321			LIFE Scholarship and Scholarship Enhancement	01/18/2026	State Commission on Higher Education	Regs, Admin. Proc., AI & CS	Education
5322			Palmetto Fellows Scholarship Program	01/18/2026	State Commission on Higher Education	Regs, Admin. Proc., AI & CS	Education
5319			Sign Language Interpreters	01/18/2026	State Board of Education	Regs, Admin. Proc., AI & CS	Education
5318			Requirements for Certification at the Advanced Level	01/18/2026	State Board of Education	Regs, Admin. Proc., AI & CS	Education
5337			Dams and Reservoirs Safety Act Regulations; Standards for Stormwater Management and Sediment Reduction	01/18/2026	Dept of Health and Envir Control	Regs, Admin. Proc., AI & CS	Ag and Nat Resources

2 REGULATIONS SUBMITTED TO GENERAL ASSEMBLY

5343	Office of the Governor – Mining Council of South Carolina	01/18/2026	Dept of Health and Envir Control	Regs, Admin. Proc., AI & CS	Ag and Nat Resources
5323	Oil and Gas Exploration, Drilling, and Production	01/18/2026	Dept of Health and Envir Control	Regs, Admin. Proc., AI & CS	Ag and Nat Resources
5325	Air Pollution Control Regulations and Standards; South Carolina Air Quality Implementation Plan (State Implementation Plan or SIP); and Standards of Performance for Asbestos Projects	01/18/2026	Dept of Health and Envir Control	Regs, Admin. Proc., AI & CS	Medical Affairs
5324	Onsite Wastewater Systems; State Environmental Laboratory Certification Program	01/18/2026	Dept of Health and Envir Control	Regs, Admin. Proc., AI & CS	Ag and Nat Resources
5326	Permits for Construction in Navigable Waters	01/18/2026	Dept of Health and Envir Control	Regs, Admin. Proc., AI & CS	Ag and Nat Resources
5327	Bureau of Coastal Management, Chapter 30	01/18/2026	Dept of Health and Envir Control	Regs, Admin. Proc., AI & CS	Ag and Nat Resources
5328	Bureau of Land and Water Management, Chapter 61	01/18/2026	Dept of Health and Envir Control	Regs, Admin. Proc., AI & CS	Ag and Nat Resources
5333	Bureau of Water, Chapter 61	01/18/2026	Dept of Health and Envir Control	Regs, Admin. Proc., AI & CS	Ag and Nat Resources
5335	South Carolina State Board of Funeral Service	01/18/2026	LLR-SC State Board of Funeral Service	Regs, Admin. Proc., AI & CS	Labor, Commerce and Industry
5311	South Carolina Board of Genetic Counselors	01/18/2026	LLR-SC Board of Genetic Counselors	Regs, Admin. Proc., AI & CS	Medical Affairs
5312	Continuing Education Requirements for PAs	01/18/2026	LLR-State Board of Medical Examiners	Regs, Admin. Proc., AI & CS	Medical Affairs
5338	Worker Walkaround Representative Designation	01/18/2026	LLR-OSHA	Regs, Admin. Proc., AI & CS	Labor, Commerce and Industry
5349	Fee Schedules – Biennial Adjustments	01/18/2026	LLR	Regs, Admin. Proc., AI & CS	Labor, Commerce and Industry
5272	South Carolina Board of Examiners in Opticianry	01/18/2026	LLR-SC Board of Ex. in Opticianry	Regs, Admin. Proc., AI & CS	Medical Affairs
5339	State Board of Pharmacy	01/18/2026	LLR-State Board of Pharmacy	Regs, Admin. Proc., AI & CS	Medical Affairs
5300	Commissioner of Pilotage	01/18/2026	LLR-Commissioners of Pilotage	Regs, Admin. Proc., AI & CS	Labor, Commerce and Industry
5340	South Carolina Real Estate Appraisers Board	01/18/2026	LLR-SC Real Estate Appraisers Board	Regs, Admin. Proc., AI & CS	Labor, Commerce and Industry
5348	Fee Schedules	01/18/2026	LLR	Regs, Admin. Proc., AI & CS	Labor, Commerce and Industry
5301	Continuing Education Requirements	01/18/2026	LLR-State Board of Social Work Examiners	Regs, Admin. Proc., AI & CS	Labor, Commerce and Industry
5351	State Athletic Commission	01/18/2026	LLR-State Athletic Commission	Regs, Admin. Proc., AI & CS	Labor, Commerce and Industry
5306	Continuing Education for Code Enforcement Officers	01/18/2026	LLR-Building Codes Council	Regs, Admin. Proc., AI & CS	Labor, Commerce and Industry
5309	State Board of Cosmetology	01/18/2026	LLR- State Board of Cosmetology	Regs, Admin. Proc., AI & CS	Labor, Commerce and Industry
5276	Practice of Esthetics Generally; and Sanitary and Safety Rules for Salons and Schools	01/18/2026	LLR-State Board of Cosmetology	Regs, Admin. Proc., AI & CS	Labor, Commerce and Industry
5307	Licensure for Out-of-State Applicants	01/18/2026	LLR-State Board of Cosmetology	Regs, Admin. Proc., AI & CS	Labor, Commerce and Industry
5354	Licensing Provisions for Professional Counselor Associate and Marriage and Family Therapy Associates	01/18/2026	LLR-Board of Examiners for Licensure of Professional Counselors, Marriage and Family Therapists, Addiction Counselors and Psycho-Educational Specialists	Regs, Admin. Proc., AI & CS	Labor, Commerce and Industry
5355	State Board of Dentistry	01/18/2026	LLR-State Board of Dentistry	Regs, Admin. Proc., AI & CS	Medical Affairs
5310	Units of Credit	01/18/2026	LLR-SC State Board of Registration for Professional Engineers and Land Surveyors	Regs, Admin. Proc., AI & CS	Labor, Commerce and Industry
5334	Board of Examiners for Licensure of Professional Counselors, Marriage and Family Therapists, Addiction Counselors and Psycho-Educational Specialists	01/18/2026	LLR-Board of Examiners for Licensure of Professional Counselors, Marriage and Family Therapists, Addiction Counselors and Psycho-Educational Specialists	Regs, Admin. Proc., AI & CS	Labor, Commerce and Industry
5356	Board of Veterinary Medical Examiners	01/18/2026	LLR-Board of Veterinary Medical Examiner	Regs, Admin. Proc., AI & CS	Medical Affairs
5332	Wildlife Management Area Regulations; Turkey Hunting Rules and Seasons; and Bear Hunting Rules and Seasons	01/18/2026	Department of Natural Resources	Regs, Admin. Proc., AI & CS	Fish, Game and Forestry
5329	R8 SR49-3 Additional Regulations Applicable to Specific Properties	01/18/2026	Department of Natural Resources	Regs, Admin. Proc., AI & CS	Fish, Game and Forestry
5330	Deer Processors and Donated Deer Processing Fee Recovery	01/18/2026	Department of Natural Resources	Regs, Admin. Proc., AI & CS	Fish, Game and Forestry

REGULATIONS SUBMITTED TO GENERAL ASSEMBLY 3

5331	Electronic Harvest Reporting of Big Game – SC Game Check	01/18/2026	Department of Natural Resources	Regs, Admin. Proc., AI & CS	Fish, Game and Forestry
5341	Access to Restricted Information	01/18/2026	Department of Public Health	Regs, Admin. Proc., AI & CS	Medical Affairs
5358	Specific Information Service Signing	01/18/2026	Department of Transportation	Regs, Admin. Proc., AI & CS	Transportation
5344	Athletic Trainers	01/18/2026	Department of Public Health	Regs, Admin. Proc., AI & CS	Medical Affairs
5342	Residential Treatment Facilities for Children and Adolescents	01/18/2026	Department of Public Health	Regs, Admin. Proc., AI & CS	Medical Affairs
5350	Standards for Licensing Crisis Stabilization Unit Facilities	01/18/2026	Department of Public Health	Regs, Admin. Proc., AI & CS	Medical Affairs
5352	Transfer of DPH Regulations to New Chapter and Amendment to Department of Health and Environmental Control References	01/18/2026	Department of Public Health	Regs, Admin. Proc., AI & CS	Medical Affairs
5363	Money Services	01/18/2026	Attorney General	Regs, Admin. Proc., AI & CS	Banking and Insurance
5365	Securities Exemption	01/18/2026	Attorney General	Regs, Admin. Proc., AI & CS	Banking and Insurance
5364	Securities	01/18/2026	Attorney General	Regs, Admin. Proc., AI & CS	Banking and Insurance
5347	Standards for Licensing Intermediate Care Facilities for Individuals with Intellectual Disabilities	01/18/2026	Department of Public Health	Regs, Admin. Proc., AI & CS	Medical Affairs
5308	Child Placing Agencies Regulations	01/18/2026	Department of Social Services	Regs, Admin. Proc., AI & CS	Family and Veterans' Services
5313	Foster Care and Adoptions	01/18/2026	Department of Social Services	Regs, Admin. Proc., AI & CS	Family and Veterans' Services
5359	Assessment Program	01/18/2026	State Board of Education	Regs, Admin. Proc., AI & CS	Education
5296	Approval of Kinship Family Foster Homes and Kinship Adoptive Homes for Children in Foster Care	01/18/2026	Department of Social Services	Regs, Admin. Proc., AI & CS	Family and Veterans' Services
5303	Certification of Adoption Investigators and Persons Obtaining Consents or Relinquishments	01/18/2026	Department of Social Services	Regs, Admin. Proc., AI & CS	Family and Veterans' Services
5315	Supplemental Benefits for Adoption and Medical Assistance	01/18/2026	Department of Social Services	Regs, Admin. Proc., AI & CS	Family and Veterans' Services
5360	Agritourism and Tourism-Oriented Directional Signing	01/18/2026	Department of Transportation	Regs, Admin. Proc., AI & CS	Transportation
5353	Office of Elevators and Amusement Rides	01/18/2026	LLR-Office of Elevators and Amusement Rides	Regs, Admin. Proc., AI & CS	Labor, Commerce and Industry
5314	Regulations for the Licensing of Child Care Centers	01/19/2026	Department of Social Services	Regs, Admin. Proc., AI & CS	Family and Veterans' Services
5370	Honey Bees	03/15/2026	Clemson University		Ag and Nat Resources
Permanently Withdrawn					
5336	South Carolina Board of Long Term Health Care Administrators		LLR-Long Term Health Care Admin	Regs, Admin. Proc., AI & CS	Medical Affairs

4 EXECUTIVE ORDERS

Executive Order No. 2025-07

WHEREAS, certain areas in the southeastern region of the United States, including portions of the State of South Carolina, are anticipated to experience hazardous weather conditions or a prolonged period of cold temperatures beginning on or about February 19, 2025, due to a forecasted winter storm, which has increased demand for certain heating fuels and other essential commodities; and

WHEREAS, according to the latest forecasts, the anticipated hazardous conditions associated with the winter weather event—including the possibility of a mix of rain, sleet, freezing rain, and snow for portions of the State—have the potential to disrupt essential utility services and other critical systems throughout the State of South Carolina; and

WHEREAS, the maintenance and prompt restoration of utility services and the uninterrupted transportation of essential goods, equipment, and products to or from the impacted areas are critical to the safety and welfare of the people of the State of South Carolina and those in neighboring States; and

WHEREAS, in light of the foregoing circumstances, the undersigned has determined that it is necessary and appropriate to take proactive action to expedite ongoing preparations, facilitate the operation of critical utility and transportation services, and mitigate interruptions or delays associated with the same; and

WHEREAS, the Federal Motor Carrier Safety Regulations limit, *inter alia*, the hours of service for operators of commercial vehicles, 49 C.F.R. §§ 390 *et seq.*; and

WHEREAS, pursuant to 49 C.F.R. § 390.23, the governor of a State may suspend federal hours of service regulations for commercial vehicles responding to an emergency if the governor determines that an emergency condition exists; and

WHEREAS, section 56-5-70(B) of the South Carolina Code of Laws, as amended, provides that “[w]hen an emergency is declared which triggers relief from regulations pursuant to 49 C.F.R. [§] 390.23 in North Carolina or Georgia, an emergency, as referenced in the regional emergency provision of 49 C.F.R. [§] 390.23(a)(1)(A), must be declared in this State by the Governor”; and

WHEREAS, on February 18, 2025, the Governor of North Carolina issued Executive Order No. 9, declaring a state of emergency and temporarily suspending certain motor vehicle and transportation regulations in connection with the above-referenced winter storm and forecasted hazardous weather conditions; and

WHEREAS, for the aforementioned and other reasons, the undersigned has determined that it is necessary and appropriate to provide additional regulatory flexibility to proactively assist in facilitating and supporting the operation of critical utility and transportation services and mitigating or preventing interruptions and delays in transporting essential supplies, equipment, and persons to or from any impacted areas in the State of South Carolina or in neighboring States.

NOW, THEREFORE, by virtue of the authority vested in me as Governor of the State of South Carolina and pursuant to the Constitution and Laws of this State and of these United States and the powers conferred upon me therein, I hereby order and direct as follows:

Section 1. Transportation Waivers to Prepare for Winter Weather Conditions

A. I hereby determine and declare that the existing and anticipated threats and circumstances associated with the hazardous weather conditions described herein and the potential impacts related to the same constitute an emergency pursuant to 49 C.F.R. § 390.23 for purposes of suspending certain rules and regulations, as set forth below, for commercial vehicles and operators of commercial vehicles in accordance with 49 C.F.R. § 390.23 and section 56-5-70 of the South Carolina Code of Laws.

B. I hereby authorize and direct the South Carolina Department of Transportation (“DOT”) and the South Carolina Department of Public Safety (“DPS”), including the State Transport Police, as needed, to waive or suspend application and enforcement of the requisite state and federal rules and regulations pertaining to hours of service for operators of commercial vehicles operating in accordance with the provisions of any emergency declaration issued by the Federal Motor Carrier Safety Administration (“FMCSA”); responding or providing direct assistance, as defined by 49 C.F.R. § 390.5, to any emergency conditions in this State or any declared emergencies in the State of North Carolina or the State of Georgia or in other States in connection with the hazardous weather and dangerous conditions described herein or the anticipated impacts thereof; providing direct assistance to supplement state and local efforts and capabilities related to the same; or otherwise assisting with the existing or anticipated threats and circumstances associated with these conditions, to include commercial vehicles and operators of commercial vehicles transporting equipment, materials, or persons necessary for the restoration of utility services or debris removal and those transporting essential goods and products, such as food, water, medicine, medical supplies and equipment, fuels and petroleum products (to include fuel oil, diesel oil, gasoline, kerosene, propane, liquid petroleum, and other refined petroleum products and related equipment or assets), livestock, poultry, feed for livestock and poultry, and crops and other agricultural products ready to be harvested (to include timber and wood chips).

C. I hereby authorize DOT and DPS, as applicable, to apply for or request any additional federal regulatory relief, waivers, permits, or other appropriate flexibility deemed necessary, whether pertaining to the transportation of overweight loads on interstate highways or otherwise, on behalf of the State of South Carolina and to promptly implement the same without the need for further Orders.

D. This Section shall not be construed to require or allow an ill or fatigued driver to operate a commercial motor vehicle. In accordance with 49 C.F.R. § 390.23, “a driver who informs the motor carrier that he or she needs immediate rest must be permitted at least ten (10) consecutive hours off duty before the driver is required to return to such terminal or location.” Likewise, this Section shall not be construed as an exemption from the applicable controlled substances and alcohol use and testing requirements in 49 C.F.R. § 382, the commercial driver’s license requirements in 49 C.F.R. § 383, or the financial responsibility requirements in 49 C.F.R. § 387, and it shall not be interpreted to relieve compliance with any other state or federal statute, rule, order, regulation, restriction, or other legal requirement not specifically waived, suspended, or addressed herein or addressed in any additional or supplemental guidance, rules, regulations, restrictions, or clarifications issued, provided, or promulgated by DOT or DPS.

E. Subject to any guidance, rules, regulations, restrictions, or clarification issued, provided, or promulgated, or which may be issued, provided, or promulgated, by DOT or DPS, as authorized herein or as otherwise provided by law, and notwithstanding the waiver or suspension of certain rules and regulations as set forth above, drivers in South Carolina are still subject to the following state requirements to ensure public safety:

1. Weight, height, length, and width for any such vehicle with a minimum of five (5) weight bearing axles on highways or roadways maintained by the State of South Carolina shall not exceed, for continuous travel on all non-interstates, United States, and South Carolina designated routes, maximum dimensions of twelve (12) feet in width (except as provided in Paragraph 5 below), thirteen (13) feet six (6) inches in height, and ninety thousand (90,000) pounds in gross weight.

2. Posted bridges may not be crossed.

3. All vehicles shall be operated in a safe manner, shall not damage the highways nor unduly interfere with highway traffic, shall maintain the required limits of insurance, and shall be clearly identified as a utility vehicle or shall provide appropriate documentation indicating they are responding to the emergency.

4. Except as provided below, any vehicles that exceed the above dimensions, weights, or both, must obtain a permit with defined routes from DOT’s Oversize/Overweight Permit (“OSOW”) Office. To order a permit, please call (803) 737-6769 during normal business hours, 8:30 a.m. – 5:00 p.m., or (803) 206-9566 after normal business hours.

5. In accordance with federal law, vehicles traveling on non-interstate routes within the National Network may not exceed a width of 102 inches or 8.6 feet without a special permit. A special permit for width

6 EXECUTIVE ORDERS

on the National Network is available on DOT's OSOW website, and a list of routes on the National Network is set forth in Appendix A to 23 C.F.R. Part 658.

6. Transporters are responsible for ensuring they have oversize signs, markings, flags, and escorts as required by the South Carolina Code of Laws and OSOW guidelines relating to oversize/overweight loads operating on South Carolina roadways.

F. I hereby authorize DOT and DPS to issue, provide, or promulgate any necessary and appropriate additional or supplemental guidance, rules, regulations, or restrictions regarding the application, implementation, or enforcement of this Section, or to otherwise provide clarification regarding the same, without the need for further Orders.

Section 2. General Provisions

A. This Order is not intended to create, and does not create, any individual right, privilege, or benefit, whether substantive or procedural, enforceable at law or in equity by any party against the State of South Carolina, its agencies, departments, political subdivisions, or other entities, or any officers, employees, or agents thereof, or any other person.

B. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this Order 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 Order, as the undersigned would have issued this Order, 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.

C. This Order shall be implemented consistent with and to the maximum extent provided by applicable law and shall be subject to the availability of appropriations. This Order shall not be interpreted, applied, implemented, or construed in a manner so as to impair, impede, or otherwise affect the authority granted by law to an executive agency or department, or the officials or head thereof, including the undersigned.

D. I hereby expressly authorize the Office of the Governor to provide or issue any necessary and appropriate additional or supplemental guidance, rules, regulations, or restrictions regarding the application of this Order or to otherwise provide clarification regarding the same, through appropriate means, without the need for further Orders.

E. This Order is effective immediately and shall remain in effect for fourteen (14) days or until the declared emergency in the State of North Carolina or any declared emergency in the State of Georgia is terminated, whichever is less, in accordance with 49 C.F.R. § 390.23 and section 56-5-70 of the South Carolina Code of Laws, unless otherwise modified, amended, or rescinded by subsequent Order.

**GIVEN UNDER MY HAND AND THE GREAT
SEAL OF THE STATE OF SOUTH CAROLINA,
THIS 18th DAY OF FEBRUARY, 2025.**

**HENRY DARGAN MCMASTER
Governor**

Executive Order No. 2025-08

WHEREAS, on February 19, 2025, and February 20, 2025, certain portions of the State of South Carolina experienced winter weather conditions, including a mix of rain, sleet, freezing rain, and snow; and

WHEREAS, due to the aforementioned hazardous weather conditions and resulting impacts, state government offices in several counties throughout the State operated on an abbreviated schedule on February 19, 2025, or February 20, 2025, or both, to ensure the safety of state employees and the general public; and

WHEREAS, section 8-11-57 of the South Carolina Code of Laws, as amended, provides, in pertinent part, that “whenever the Governor declares a state of emergency or orders all or some state offices closed due to hazardous weather conditions he may authorize up to five days leave with pay for affected state employees who are absent from work due to the state of emergency or the hazardous weather conditions.”

NOW, THEREFORE, by virtue of the authority vested in me as Governor of the State of South Carolina and pursuant to the Constitution and Laws of this State and the powers conferred upon me therein, I hereby order and direct as follows:

Section 1. Authorizing Leave with Pay Due to Winter Weather Conditions

A. I hereby authorize leave with pay for affected state employees, as set forth below, who were absent from work during the aforementioned hazardous weather conditions and in accordance with the directive for state government offices to follow county government closures for hazardous weather conditions, in the following counties on the following dates:

February 19, 2025:

Abbreviated Schedule: Marlboro County (closed at 3:00 p.m.).

February 20, 2025:

Abbreviated Schedule: Lancaster County (opened at 10:30 a.m.), Marion County (opened at 10:30 a.m.), Marlboro County (opened at 12:00 p.m.), Williamsburg County (opened at 10:30 a.m.).

B. In the event that county government offices in a county not listed above were closed or operated on an abbreviated schedule due to the aforementioned hazardous weather conditions, I hereby authorize the South Carolina Department of Administration to grant leave with pay for affected state employees who were absent from work as a result of the corresponding closure of state government offices and to administratively add any such county to the list of covered closures without the need for further Orders.

Section 2. General Provisions

A. This Order is not intended to create, and does not create, any individual right, privilege, or benefit, whether substantive or procedural, enforceable at law or in equity by any party against the State of South Carolina, its agencies, departments, political subdivisions, or other entities, or any officers, employees, or agents thereof, or any other person.

B. This Order shall be implemented consistent with and to the maximum extent provided by applicable law and shall be subject to the availability of appropriations. This Order shall not be interpreted, applied, implemented, or construed in a manner so as to impair, impede, or otherwise affect the authority granted by law to an executive agency or department, or the officials or head thereof, including the undersigned.

C. This Order is effective immediately.

8 EXECUTIVE ORDERS

**GIVEN UNDER MY HAND AND THE GREAT
SEAL OF THE STATE OF SOUTH CAROLINA,
THIS 26th DAY OF FEBRUARY, 2025.**

**HENRY DARGAN MCMASTER
Governor**

Executive Order No. 2025-09

WHEREAS, a Grand Jury convened in the Florence Division of the United States District Court for the District of South Carolina has returned an Indictment charging Mike A. Brown, a member of North Charleston City Council representing District One, with one count of Conspiracy to Commit Bribery with Respect to Programs Receiving Federal Funds and Honest Services Wire Fraud, in violation of 18 U.S.C. § 371; one count of Bribery with Respect to Programs Receiving Federal Funds, in violation of 18 U.S.C. § 666(a)(1)(B), (b) and 18 U.S.C. § 2; and one count of Honest Services Wire Fraud, in violation of 18 U.S.C. § 1343, 18 U.S.C. § 1346, and 18 U.S.C. § 2; and

WHEREAS, article VI, section 8 of the South Carolina Constitution provides, in relevant part, that “[a]ny officer of the State or its political subdivisions . . . who has been indicted by a grand jury for a crime involving moral turpitude . . . may be suspended by the Governor until he shall have been acquitted” and “[i]n case of conviction the office shall be declared vacant and the vacancy filled as may be provided by law”; and

WHEREAS, Mike A. Brown, as a member of North Charleston City Council in the office and seat representing District One, is an officer of the State or its political subdivisions; and

WHEREAS, under South Carolina law, moral turpitude “implies something immoral in itself, regardless of whether it is punishable by law as a crime,” involves “an act of baseness, vileness, or depravity in the private and social duties which a man owes to his fellow man, or to society in general, contrary to the accepted and customary rule of right and duty between man and man,” or otherwise includes conduct “contrary to justice, honesty[,] and good morals,” *State v. Horton*, 271 S.C. 413, 414–15, 248 S.E.2d 263, 263–64 (1978); *see also Baddourah v. McMaster*, 433 S.C. 89, 112, 856 S.E.2d 561, 573 (2021) (“Under South Carolina’s moral turpitude framework, we focus ‘primarily on the duty to society and fellow man [that] is breached by the commission of the crime.’”); and

WHEREAS, upon consideration of the circumstances presented, to include the particularized facts alleged in the Indictment and the statutory definition and classification of the offense, the undersigned has determined that the aforementioned Indictment charges Mike A. Brown with “a crime involving moral turpitude” for purposes of article VI, section 8 of the South Carolina Constitution, *see Baddourah*, 433 S.C. at 108, 113–14, 856 S.E.2d at 571, 574; and

WHEREAS, for the foregoing reasons, and in accordance with article VI, section 8 of the South Carolina Constitution, the undersigned is authorized to suspend Mike A. Brown from office as a member of North Charleston City Council until such time as he shall be acquitted or convicted or until a successor is elected and qualifies as provided by law, whichever event occurs first.

NOW, THEREFORE, by virtue of the authority vested in me as Governor of the State of South Carolina and pursuant to the Constitution and Laws of this State and the powers conferred upon me therein, I hereby suspend Mike A. Brown from office as a member of North Charleston City Council representing District One until such time as he shall be formally acquitted or convicted or until a successor is elected and qualifies as provided by law, whichever event occurs first. This action in no manner addresses the guilt or innocence of Mike A. Brown and shall not be construed as an expression of any opinion on such question. This Order is effective immediately.

GIVEN UNDER MY HAND AND THE GREAT
SEAL OF THE STATE OF SOUTH CAROLINA,
THIS 26th DAY OF FEBRUARY, 2025.

HENRY DARGAN MCMASTER
Governor

Executive Order No. 2025-10

WHEREAS, the State of South Carolina is currently experiencing abnormally high fire occurrences due to the confluence of low relative humidity and reduced rainfall, as well as other conditions conducive to ignition; and

WHEREAS, on March 1, 2025, after recording 102 wildfire or forest fire ignitions in a single day, the State Forester issued a Burning Ban for all counties in the State of South Carolina, prohibiting all outdoor burning, including yard debris burning, prescribed burning, and campfires in all unincorporated areas of the State; and

WHEREAS the aforementioned dangerous conditions have since been further exacerbated by significant and shifting winds, which have caused numerous existing fires to spread and complicated the containment of new wildfire ignitions; and

WHEREAS, according to the State Fire Marshal, there are currently response operations in progress across South Carolina in connection with more than 175 wildfires, impacting over 4,200 acres throughout the State, and the corresponding operational demands threaten to strain or exceed the capacity of local emergency response personnel; and

WHEREAS, the undersigned has been advised that the aforementioned conditions represent a significant threat to the State of South Carolina, which requires that the State proactively prepare for the potential impacts and take timely precautions to protect and preserve property, critical infrastructure, natural resources, communities, and the general safety and welfare of the people of this State; and

WHEREAS, in light of the foregoing circumstances, the undersigned has determined that it is necessary and appropriate for the State to take additional proactive action and to expedite ongoing operations to prepare for and respond to the evolving threats and circumstances in connection with existing wildfires and enhanced fire risks, as well as the corresponding hazardous conditions and anticipated impacts associated with the same; and

WHEREAS, as the elected Chief Executive of the State, the undersigned is authorized pursuant to section 25-1-440 of the South Carolina Code of Laws, as amended, to “declare a state of emergency for all or part of the State if he finds a disaster . . . has occurred, or that the threat thereof is imminent and extraordinary measures are considered necessary to cope with the existing or anticipated situation”; and

WHEREAS, in accordance with section 25-1-440 of the South Carolina Code of Laws, when an emergency has been declared, the undersigned is “responsible for the safety, security, and welfare of the State and is empowered with [certain] additional authority to adequately discharge this responsibility,” to include issuing, amending, and rescinding “emergency proclamations and regulations,” which shall “have the force and effect of law as long as the emergency exists”; and

WHEREAS, pursuant to section 25-1-440 of the South Carolina Code of Laws, when an emergency has been declared, the undersigned is further authorized to “suspend provisions of existing regulations

10 EXECUTIVE ORDERS

prescribing procedures for conduct of state business if strict compliance with the provisions thereof would in any way prevent, hinder, or delay necessary action in coping with the emergency”; and

WHEREAS, in addition to the foregoing, section 25-1-440 of the South Carolina Code of Laws authorizes the undersigned, during a declared emergency, to “transfer the direction, personnel, or functions of state departments, agencies, and commissions, or units thereof, for purposes of facilitating or performing emergency services as necessary or desirable,” and to “compel performance by elected and appointed state, county, and municipal officials and employees of the emergency duties and functions assigned them in the State Emergency Plan or by Executive Order”; and

WHEREAS, in accordance with section 48-31-10, as amended, “[w]hen by reason of a drought, low humidity, high winds, and other conditions, the forests and woodlands in the State are in danger of fires, the Governor, upon recommendation of the State Forester, may in the interest of public safety and the preservation of natural resources, have authority by proclamation to forbid the use of fire therein” and “[w]hen the Governor is satisfied that the occasion has passed for maintaining the provisions of the proclamation he shall annul it by another proclamation”; and

WHEREAS, pursuant to section 48-31-20 of the South Carolina Code of Laws, as amended, “[d]uring such periods and in such areas as the Governor shall proclaim, it shall be unlawful for any person to build or ignite any fire of any nature, or for any person to throw or cause to be thrown any matches, ashes, tobacco or other burning material on or adjacent to forests, woodlands, brushlands, or grasslands under protection from forest fires” and “[i]t shall be unlawful to burn or cause to be burned any right of way”; and

WHEREAS, section 48-35-40 of the South Carolina Code of Laws, as amended, further provides that “[n]o burning shall be carried out during any period which the Governor has declared that an emergency exists in connection with forest fires”; and

WHEREAS, in addition to the foregoing authorities, section 48-35-50 of the South Carolina Code of Laws, as amended, provides that “[t]he State Forester may direct at any time, when deemed necessary in the interest of public safety, that fires covered by this chapter not be started,” and he “also may prohibit all open burning regardless of whether a permit or notification is required, including campfires, bonfires, and other fires for recreational purposes”; and

WHEREAS, in accordance with section 56-5-70(A) of the South Carolina Code of Laws, as amended, during a declared emergency and in the course of responding to the emergency, requirements relating to registration, permitting, length, width, weight, and load are suspended for commercial and utility vehicles traveling on non-interstate routes for up to one hundred twenty (120) days, provided that such vehicles do not exceed a gross weight of ninety thousand (90,000) pounds and do not exceed a width of twelve (12) feet, and requirements relating to time of service suspensions for commercial and utility vehicles traveling on interstate and non-interstate routes are suspended for up to thirty (30) days, unless extended for additional periods pursuant to the Federal Motor Carrier Safety Regulations; and

WHEREAS, the Federal Motor Carrier Safety Regulations limit, *inter alia*, the hours of service for operators of commercial vehicles, 49 C.F.R. §§ 390 *et seq.*; and

WHEREAS, pursuant to 49 C.F.R. § 390.23, the governor of a State may suspend federal hours of service regulations for commercial vehicles responding to an emergency if the governor determines that an emergency condition exists; and

WHEREAS, section 56-5-70(B) of the South Carolina Code of Laws further provides that “[w]hen an emergency is declared which triggers relief from regulations pursuant to 49 C.F.R. [§] 390.23 in North Carolina or Georgia, an emergency, as referenced in the regional emergency provision of 49 C.F.R. [§] 390.23(a)(1)(A), must be declared in this State by the Governor”; and

WHEREAS, recognizing that the maintenance and prompt restoration of utility services and the uninterrupted transportation of essential goods, equipment, and products to or from the impacted areas are critical to the safety and welfare of the people of South Carolina and neighboring States, the undersigned has determined that it is necessary and appropriate for the State of South Carolina to expedite ongoing preparations and support further emergency management, response, recovery, and relief efforts by providing additional regulatory flexibility to facilitate the operation of critical transportation services; and

WHEREAS, in the interest of public safety and the preservation of natural resources, and consistent with the State Forester’s March 1, 2025 Burning Ban and in accordance with the authorities cited herein below, the undersigned has determined that it is necessary and appropriate to prohibit the ignition of outdoor fires in the State of South Carolina until further notice; and

WHEREAS, for the aforementioned and other reasons, and in recognition and furtherance of the undersigned’s responsibility to provide for and ensure the health, safety, security, and welfare of the people of the State of South Carolina, after conferring with the relevant state and federal agencies, officials, and experts, the undersigned has determined that the existing wildfires or forest fires and enhanced fire risks, as well as the other dangerous conditions described herein and the anticipated impacts associated therewith, constitute an actual or imminent emergency for the State of South Carolina and that extraordinary measures are necessary to cope with the existing or anticipated situation.

NOW, THEREFORE, by virtue of the authority vested in me as Governor of the State of South Carolina and pursuant to the Constitution and Laws of this State and of these United States and the powers conferred upon me therein, I hereby declare that a State of Emergency exists in South Carolina. Accordingly, for the foregoing reasons and in accordance with the cited authorities and other applicable law, I further order and direct as follows:

Section 1. Emergency Measures to Respond to Existing Wildfires and Enhanced Fire Risks

A. I hereby memorialize and confirm my prior activation of the South Carolina Emergency Operations Plan (“Plan”), as approved by Executive Order No. 2023-11, and direct that the Plan—including the South Carolina Firefighter Mobilization and Emergency Response Task Force Plan, in accordance with section 23-49-50 of the South Carolina Code of Laws, as amended—be further placed into effect and that all prudent preparations be taken at the individual, local, and state levels to prepare for and respond to the existing wildfires or forest fires and enhanced fire risks, as well as the other dangerous conditions described herein and the anticipated impacts associated with the same. I further direct the utilization of all available resources of state government as reasonably necessary to address the current State of Emergency. In accordance with Section 1(E) of Executive Order No. 2023-11, “[a]ll departments or agencies of the State shall execute, without delay, the emergency functions so designated in the Plan, or as further ordered or otherwise directed by the undersigned, during any emergency or disaster through the initial use of existing department or agency appropriations and all necessary department or agency personnel, regardless of normal duty assignment.”

B. In accordance with sections 48-31-20 and 48-35-40 of the South Carolina Code of Laws, as applicable, I hereby proclaim that it shall be unlawful in the State of South Carolina to conduct any outdoor burning or to build or ignite any outdoor fire of any nature, or to throw or cause to be thrown any matches, ashes, or other burning material on or adjacent to forests, woodlands, brushlands, or grasslands or to burn or cause to be burned any right of way. This proclamation—any violation of which will be subject to the criminal penalties provided by law—is effective immediately and shall remain in effect for the duration of the State of Emergency, unless otherwise modified, amended, or rescinded by subsequent Order, or until revocation of the State Forester’s March 1, 2025 Burning Ban, whichever event occurs first.

C. I hereby place specified units or personnel, or both, of the South Carolina National Guard on State Active Duty, pursuant to section 25-1-1840 of the South Carolina Code of Laws, as amended, and direct

12 EXECUTIVE ORDERS

the Adjutant General to issue any supplemental orders he deems necessary and appropriate. I further order the activation of South Carolina National Guard personnel and the utilization of appropriate equipment, in the discretion of the Adjutant General and in coordination with the Director of the South Carolina Emergency Management Division (“EMD”), to take necessary and prudent actions to assist the people of this State. I authorize Dual Status Command, as necessary, to allow the Adjutant General or his designee to serve as commander over both federal (Title 10) and state forces (National Guard in Title 32 status or State Active Duty status, or both).

D. I hereby authorize and direct the South Carolina Department of Transportation (“DOT”) and the South Carolina National Guard to assist with the transportation of equipment and personnel associated with firefighter mobilization, as necessary and appropriate, pursuant to section 23-49-100 of the South Carolina Code of Laws, as amended.

E. I hereby order that all licensing and registration requirements regarding private security personnel or companies contracting with South Carolina security companies in protecting property and restoring essential services in South Carolina shall be suspended, and I direct the South Carolina Law Enforcement Division (“SLED”) to initiate an emergency registration process for those personnel or companies for a period specified, and in a manner deemed appropriate, by the Chief of SLED.

F. I hereby authorize and direct any agency within the undersigned’s Cabinet or any other department within the Executive Branch, as defined by section 1-30-10 of the South Carolina Code of Laws, as amended, through its respective director or secretary, to waive or “suspend provisions of existing regulations prescribing procedures for conduct of state business if strict compliance with the provisions thereof would in any way prevent, hinder, or delay necessary action in coping with the emergency,” in accordance with section 25-1-440 of the South Carolina Code of Laws and other applicable law.

G. I hereby authorize and direct state agencies and departments to utilize the emergency procurement procedures set forth in section 11-35-1570 of the South Carolina Code of Laws, as amended, and any regulations issued pursuant thereto, as necessary and appropriate, to facilitate and expedite the acquisition of any critical materials, resources, or services during the State of Emergency.

H. I hereby declare that the prohibitions against price gouging pursuant to section 39-5-145 of the South Carolina Code of Laws, as amended, are in effect and shall remain in effect for the duration of the State of Emergency.

I. I hereby waive the requirement of a written mutual aid agreement for law enforcement services authorized by the Law Enforcement Assistance and Support Act, codified as amended in Title 23, Chapter 20 of the South Carolina Code of Laws, during the State of Emergency in accordance with section 23-20-60 of the South Carolina Code of Laws, as amended.

J. I hereby authorize and direct state agencies and departments, including state-supported colleges, universities, and technical colleges, to follow county government closure determinations, consistent with the normal state procedure associated with hazardous conditions, for purposes of closing state government offices in any such counties or operating the same on an abbreviated schedule to ensure the safety of state employees and the general public. In the event circumstances warrant, I further authorize the Office of the Governor to modify the foregoing procedure, at the undersigned’s direction, and to announce, through appropriate means, the closure of state government offices in one or more counties due to the State of Emergency or hazardous conditions without the need for further Orders. Emergency or other critical personnel designated and determined by, and in the sole discretion of, the corresponding Agency Head, or their designee, as essential or mission-critical to the State’s preparation for, response to, or recovery from emergency conditions, or otherwise necessary to serve the State of South Carolina or to ensure the continuity of critical operations of state government, may still be required to report to work. State agencies and departments shall utilize, to the maximum extent possible, telecommuting or work-from-home options for non-essential employees. Notwithstanding the

foregoing, pursuant to section 25-1-440 of the South Carolina Code of Laws, as well as other applicable law, I hereby prohibit any county, municipality, or other political subdivision of the State of South Carolina from restricting access by essential state employees to any location or facility that is occupied or utilized, in whole or in part, by any state agency or department. Accordingly, I hereby direct that any such county, municipality, or other political subdivision of the State shall authorize, allow, and provide access to said locations or facilities by any state agency or department, and the officials and employees thereof, as deemed necessary and appropriate and in the manner prescribed by the state agency or department so as to ensure the uninterrupted performance and provision of emergency, essential, or otherwise mission-critical government functions and services during the State of Emergency.

Section 2. Transportation Waivers to Facilitate Emergency Management

A. I hereby determine and declare that the existing and anticipated threats and circumstances associated with the dangerous conditions described herein and the potential impacts related to the same constitute an emergency pursuant to 49 C.F.R. § 390.23 for purposes of suspending certain rules and regulations, as set forth below, for commercial vehicles and operators of commercial vehicles in accordance with 49 C.F.R. § 390.23 and section 56-5-70 of the South Carolina Code of Laws.

B. I hereby authorize and direct DOT and the South Carolina Department of Public Safety (“DPS”), including the State Transport Police, as needed, to waive or suspend application and enforcement of the requisite state and federal rules and regulations pertaining to hours of service for operators of commercial vehicles operating in accordance with the provisions of any emergency declaration issued by the Federal Motor Carrier Safety Administration (“FMCSA”); responding or providing direct assistance, as defined by 49 C.F.R. § 390.5, to any emergency conditions in this State or any declared emergencies in the State of North Carolina or the State of Georgia or in other States in connection with the dangerous conditions described herein or the anticipated impacts thereof; providing direct assistance to supplement state and local efforts and capabilities related to the same; or otherwise assisting with the existing or anticipated threats and circumstances associated with this event, to include commercial vehicles and operators of commercial vehicles transporting equipment, materials, or persons necessary for the restoration of utility services or debris removal and those transporting essential goods and products, such as food, water, medicine, medical supplies and equipment, fuels and petroleum products (to include fuel oil, diesel oil, gasoline, kerosene, propane, liquid petroleum, and other refined petroleum products and related equipment or assets), livestock, poultry, feed for livestock and poultry, and crops and other agricultural products ready to be harvested (to include timber and wood chips).

C. I hereby authorize DOT and DPS, as applicable, to apply for or request any additional federal regulatory relief, waivers, permits, or other appropriate flexibility deemed necessary, whether pertaining to the transportation of overweight loads on interstate highways or otherwise, on behalf of the State of South Carolina and to promptly implement the same without the need for further Orders.

D. This Section shall not be construed to require or allow an ill or fatigued driver to operate a commercial motor vehicle. In accordance with 49 C.F.R. § 390.23, “a driver who informs the motor carrier that he or she needs immediate rest must be permitted at least ten (10) consecutive hours off duty before the driver is required to return to such terminal or location.” Likewise, this Section shall not be construed as an exemption from the applicable controlled substances and alcohol use and testing requirements in 49 C.F.R. § 382, the commercial driver’s license requirements in 49 C.F.R. § 383, or the financial responsibility requirements in 49 C.F.R. § 387, and it shall not be interpreted to relieve compliance with any other state or federal statute, rule, order, regulation, restriction, or other legal requirement not specifically waived, suspended, or addressed herein or addressed in any additional or supplemental guidance, rules, regulations, restrictions, or clarifications issued, provided, or promulgated by DOT or DPS.

E. Subject to any guidance, rules, regulations, restrictions, or clarification issued, provided, or promulgated, or which may be issued, provided, or promulgated, by DOT or DPS, as authorized herein or as

14 EXECUTIVE ORDERS

otherwise provided by law, and notwithstanding the waiver or suspension of certain rules and regulations as set forth above, drivers in South Carolina are still subject to the following state requirements to ensure public safety:

1. Weight, height, length, and width for any such vehicle with a minimum of five (5) weight bearing axles on highways or roadways maintained by the State of South Carolina shall not exceed, for continuous travel on all non-interstates, United States, and South Carolina designated routes, maximum dimensions of twelve (12) feet in width (except as provided in Paragraph 5 below), thirteen (13) feet six (6) inches in height, and ninety thousand (90,000) pounds in gross weight.

2. Posted bridges may not be crossed.

3. All vehicles shall be operated in a safe manner, shall not damage the highways nor unduly interfere with highway traffic, shall maintain the required limits of insurance, and shall be clearly identified as a utility vehicle or shall provide appropriate documentation indicating they are responding to the emergency.

4. Except as provided below, any vehicles that exceed the above dimensions, weights, or both, must obtain a permit with defined routes from DOT's Oversize/Overweight Permit ("OSOW") Office. To order a permit, please call (803) 737-6769 during normal business hours, 8:30 a.m. – 5:00 p.m., or (803) 206-9566 after normal business hours.

5. In accordance with federal law, vehicles traveling on non-interstate routes within the National Network may not exceed a width of 102 inches or 8.6 feet without a special permit. A special permit for width on the National Network is available on DOT's OSOW website, and a list of routes on the National Network is set forth in Appendix A to 23 C.F.R. Part 658.

6. Transporters are responsible for ensuring they have oversize signs, markings, flags, and escorts as required by the South Carolina Code of Laws and OSOW guidelines relating to oversize/overweight loads operating on South Carolina roadways.

F. I hereby authorize DOT and DPS to issue, provide, or promulgate any necessary and appropriate additional or supplemental guidance, rules, regulations, or restrictions regarding the application, implementation, or enforcement of this Section, or to otherwise provide clarification regarding the same, without the need for further Orders.

G. I hereby authorize and direct DPS, including the South Carolina Highway Patrol, as needed, to waive or suspend, in whole or in part, operation of the requisite rules and regulations, to include Regulation 38–600 of the South Carolina Code of Regulations, pertaining to the use of the South Carolina Highway Patrol Wrecker Rotation List.

H. This Section is effective immediately and shall remain in effect for fourteen (14) days or the duration of the emergency, whichever is less, in accordance with 49 C.F.R. § 390.23 and section 56-5-70(D) of the South Carolina Code of Laws, except that requirements relating to registration, permitting, length, width, weight, and load are suspended for commercial and utility vehicles traveling on non-interstate routes for up to one hundred twenty (120) days, pursuant to the provisions of section 56-5-70 of the South Carolina Code of Laws, unless otherwise modified, amended, or rescinded by subsequent Order.

Section 3. General Provisions

A. This Order is not intended to create, and does not create, any individual right, privilege, or benefit, whether substantive or procedural, enforceable at law or in equity by any party against the State of South Carolina, its agencies, departments, political subdivisions, or other entities, or any officers, employees, or agents thereof, or any other person.

B. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this Order 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 Order, as the undersigned would have issued this Order, 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.

C. This Order shall be implemented consistent with and to the maximum extent provided by applicable law and shall be subject to the availability of appropriations. This Order shall not be interpreted, applied, implemented, or construed in a manner so as to impair, impede, or otherwise affect the authority granted by law to an executive agency or department, or the officials or head thereof, including the undersigned.

D. I hereby expressly authorize the Office of the Governor to provide or issue any necessary and appropriate additional or supplemental guidance, rules, regulations, or restrictions regarding the application of this Order or to otherwise provide clarification regarding the same, through appropriate means, without the need for further Orders.

E. This Order is effective immediately and shall remain in effect for a period of fifteen (15) days unless otherwise expressly stated herein or modified, amended, or rescinded by subsequent Order. Further proclamations, orders, and directives deemed necessary to ensure the fullest possible protection of life and property during this State of Emergency shall be issued orally by the undersigned and thereafter reduced to writing and published for dissemination within the succeeding 24-hour period.

**GIVEN UNDER MY HAND AND THE GREAT
SEAL OF THE STATE OF SOUTH CAROLINA,
THIS 2nd DAY OF MARCH, 2025.**

**HENRY DARGAN MCMASTER
Governor**

Executive Order No. 2025-11

WHEREAS, the undersigned has been notified of the passing of Colonel Myron Charles Harrington, Jr., United States Marine Corps (Retired), who previously served as a member and as chairman of the Board of Visitors of The Citadel, the Military College of South Carolina; and

WHEREAS, in addition to his dutiful service as a member and as chairman of The Citadel's Board of Visitors, Colonel Harrington also served as the Professor of Naval Science and Commanding Officer of the Naval Reserve Officers' Training Corps at The Citadel and in various other state and local capacities; and

WHEREAS, prior to his distinguished service to the State of South Carolina, Colonel Harrington served honorably and with distinction in the United States Marine Corps for thirty years, during which time he received the Navy Cross and the Silver Star, among many other awards and decorations; and

WHEREAS, Colonel Harrington was a decorated Marine, principled leader, and selfless servant, and his passing warrants the people of this State further recognizing and appropriately honoring his extraordinary legacy and lifetime of service to the State of South Carolina and the United States of America; and

WHEREAS, Title 4, Section 7(m) of the United States Code, as amended, provides that "[i]n the event of the death of a present or former official of the government of any State, . . . the Governor of that State . . . may proclaim that the National flag shall be flown at half-staff"; and

WHEREAS, section 10-1-161(E) of the South Carolina Code of Laws, as amended, provides that "upon the death of a person of extraordinary stature, the Governor may order that the flags atop the State Capitol Building be lowered to half-staff at a designated time or for a designated period of time."

16 EXECUTIVE ORDERS

NOW, THEREFORE, by virtue of the authority vested in me as Governor of the State of South Carolina and pursuant to the Constitution and Laws of this State and of these United States and the powers conferred upon me therein, I hereby order that the flags atop the State Capitol be lowered to half-staff from sunrise until sunset on Thursday, March 6, 2025, in honor of Colonel Harrington and in recognition of his extraordinary legacy and lifetime of distinguished service to the State of South Carolina and the United States of America. This Order is effective immediately.

**GIVEN UNDER MY HAND AND THE GREAT
SEAL OF THE STATE OF SOUTH CAROLINA,
THIS 4th DAY OF MARCH, 2025.**

**HENRY DARGAN MCMASTER
Governor**

Executive Order No. 2025-12

WHEREAS, on March 4, 2025, and March 5, 2025, certain portions of the State of South Carolina experienced severe weather, including extreme thunderstorms, high winds, and significant rainfall; and

WHEREAS, due to the aforementioned hazardous weather conditions and resulting impacts, and in accordance with county government closures and the normal state procedure associated with the same, state government offices in Orangeburg County operated on an abbreviated schedule to ensure the safety of state employees and the general public; and

WHEREAS, section 8-11-57 of the South Carolina Code of Laws, as amended, provides, in pertinent part, that “whenever the Governor declares a state of emergency or orders all or some state offices closed due to hazardous weather conditions he may authorize up to five days leave with pay for affected state employees who are absent from work due to the state of emergency or the hazardous weather conditions.”

NOW, THEREFORE, by virtue of the authority vested in me as Governor of the State of South Carolina and pursuant to the Constitution and Laws of this State and the powers conferred upon me therein, I hereby order and direct as follows:

Section 1. Authorizing Leave with Pay Due to Severe Weather

A. I hereby authorize leave with pay for affected state employees, as set forth below, who were absent from work during the aforementioned hazardous weather conditions, and in accordance with the directive for state government offices to follow county government closures for hazardous weather conditions, in Orangeburg County on March 5, 2025 (opened at 12:30 p.m.).

B. In the event that county government offices in a county not listed above were closed or operated on an abbreviated schedule due to the aforementioned hazardous weather conditions, I hereby authorize the South Carolina Department of Administration to grant leave with pay for affected state employees who were absent from work as a result of the corresponding closure of state government offices and to administratively add any such county to the list of covered closures without the need for further Orders.

Section 2. General Provisions

A. This Order is not intended to create, and does not create, any individual right, privilege, or benefit, whether substantive or procedural, enforceable at law or in equity by any party against the State of South Carolina, its agencies, departments, political subdivisions, or other entities, or any officers, employees, or agents thereof, or any other person.

B. This Order shall be implemented consistent with and to the maximum extent provided by applicable law and shall be subject to the availability of appropriations. This Order shall not be interpreted, applied, implemented, or construed in a manner so as to impair, impede, or otherwise affect the authority granted by law to an executive agency or department, or the officials or head thereof, including the undersigned.

C. This Order is effective immediately.

**GIVEN UNDER MY HAND AND THE GREAT
SEAL OF THE STATE OF SOUTH CAROLINA,
THIS 12th DAY OF MARCH, 2025.**

**HENRY DARGAN MCMASTER
Governor**

Executive Order No. 2025-13

WHEREAS, on or about March 11, 2025, the State Grand Jury returned an Indictment charging Stephen Renard Gardner, Sheriff of Williamsburg County, with one count of Criminal Conspiracy, in violation of section 16-17-410 of the South Carolina Code of Laws, as amended; one count of Misconduct in Office, in violation of the Common Law of South Carolina; one count of Receiving Anything of Value to Influence Action of Public Official (Ethics Act Violation), in violation of section 8-13-705 of the South Carolina Code of Laws, as amended; one count of Acceptance of Rebates or Extra Compensation, in violation of section 16-9-230 of the South Carolina Code of Laws, as amended; and one count of Money Laundering (value more than \$20,000 but less than \$100,000), in violation of section 35-11-740 of the South Carolina Code of Laws, as amended; and

WHEREAS, Stephen Renard Gardner, as Sheriff of Williamsburg County, is an officer of the State or its political subdivisions; and

WHEREAS, article VI, section 8 of the South Carolina Constitution provides, *inter alia*, that upon indictment by a grand jury of any officer of the State or its political subdivisions who has the custody of public or trust funds for embezzlement or the appropriation of public or trust funds to private use, “the Governor shall suspend such officer and appoint one in his stead, until he shall have been acquitted,” and “[i]n case of conviction, the position shall be declared vacant and the vacancy filled as may be provided by law”; and

WHEREAS, article VI, section 8 of the South Carolina Constitution further provides, in relevant part, that “[a]ny officer of the State or its political subdivisions . . . who has been indicted by a grand jury for a crime involving moral turpitude . . . may be suspended by the Governor until he shall have been acquitted” and “[i]n case of conviction the office shall be declared vacant and the vacancy filled as may be provided by law”; and

WHEREAS, under South Carolina law, moral turpitude “implies something immoral in itself, regardless of whether it is punishable by law as a crime,” involves “an act of baseness, vileness, or depravity in the private and social duties which a man owes to his fellow man, or to society in general, contrary to the accepted and customary rule of right and duty between man and man,” or otherwise includes conduct “contrary to justice, honesty[,] and good morals,” *State v. Horton*, 271 S.C. 413, 414–15, 248 S.E.2d 263, 263–64 (1978); *see also Baddourah v. McMaster*, 433 S.C. 89, 112, 856 S.E.2d 561, 573 (2021) (“Under South Carolina’s moral turpitude framework, we focus ‘primarily on the duty to society and fellow man [that] is breached by the commission of the crime.’”); and

WHEREAS, in addition to the foregoing authorities, section 8-1-110 of the South Carolina Code of Laws, as amended, requires that upon the indictment of any officer who has the custody of public or trust funds on charges of embezzlement or the appropriation of public or trust funds to private use, “the Governor shall suspend such officer and appoint one in his stead until he shall have been acquitted by the verdict of a jury” and

18 EXECUTIVE ORDERS

“[i]n case of conviction the office shall be declared vacant and the vacancy filled as may be provided by law”; and

WHEREAS, section 8-1-100 of the South Carolina Code of Laws, as amended, further provides that “any state or county officer who is indicted in any court for any crime may, in the discretion of the Governor, be suspended by the Governor, who in event of suspension shall appoint another in his stead until he shall be acquitted” and “[i]n case of conviction, the office shall be declared vacant by the Governor and the vacancy filled as provided by law”; and

WHEREAS, upon consideration of the circumstances presented, to include the particularized facts alleged in the Indictment and the statutory definition and classification of the offenses, the undersigned has determined that the aforementioned Indictment includes one or more counts charging Stephen Renard Gardner with “embezzlement or the appropriation of public or trust funds to private use,” “a crime involving moral turpitude,” or both, for purposes of article VI, section 8 of the South Carolina Constitution; and

WHEREAS, for the foregoing reasons, and in accordance with article VI, section 8 of the South Carolina Constitution and sections 8-1-100 and 8-1-110 of the South Carolina Code of Laws, the undersigned is authorized to suspend Stephen Renard Gardner from the office of Sheriff of Williamsburg County until such time as he shall be acquitted or convicted; and

WHEREAS, section 23-11-40(C) of the South Carolina Code of Laws, as amended, provides that “[i]f any vacancy occurs in the office [of sheriff in any county of this State] at any time and is created by suspension by the Governor upon any sheriff’s indictment, the Governor shall appoint some suitable person . . . to hold the office until the suspended sheriff is acquitted, or the indictment is otherwise disposed of, or until a sheriff is elected and qualifies in the next general election for county sheriffs, whichever event occurs first”; and

WHEREAS, Clemson Wright, Jr., of Kingstree, South Carolina, is a fit and proper person to serve as Sheriff of Williamsburg County.

NOW, THEREFORE, by virtue of the authority vested in me as Governor of the State of South Carolina and pursuant to the Constitution and Laws of this State and the powers conferred upon me therein, I hereby suspend Stephen Rendard Gardner from the office of Sheriff of Williamsburg County until such time as he shall be formally acquitted or convicted. Accordingly, pursuant to article VI, section 8 of the South Carolina Constitution and section 23-11-40(C) of the South Carolina Code of Laws, as well as other applicable law, I hereby appoint Clemson Wright, Jr. to serve as Sheriff of Williamsburg County until such time as Stephen Renard Gardner is acquitted, or the Indictment is otherwise disposed of, or until a sheriff is elected and qualifies in the next general election for county sheriffs, whichever event occurs first. This action in no manner addresses the guilt or innocence of Stephen Renard Gardner and shall not be construed as an expression of any opinion on such question. This Order is effective immediately.

**GIVEN UNDER MY HAND AND THE GREAT
SEAL OF THE STATE OF SOUTH CAROLINA,
THIS 12th DAY OF MARCH, 2025.**

**HENRY DARGAN MCMASTER
Governor**

**DEPARTMENT OF LABOR, LICENSING AND REGULATION
BUILDING CODES COUNCIL**

NOTICE OF GENERAL PUBLIC INTEREST

Notice is hereby given that, in accordance with Section 6-9-40 of the 1976 Code of Laws of South Carolina, as amended, the South Carolina Building Codes Council intends to modify and adopt the following building codes for use in the State of South Carolina:

Mandatory codes include the:

2024 Edition of the International Building Code;
2024 Edition of the International Residential Code;
2024 Edition of the International Fire Code;
2024 Edition of the International Plumbing Code;
2024 Edition of the International Mechanical Code;
2024 Edition of the International Fuel Gas Code;
2023 Edition of the National Electrical Code.

Interested persons may submit written comments until August 4, 2025, to:

Contact.BCC@llr.sc.gov

South Carolina Building Codes Council
PO Box 11329
Columbia, SC 29211-1329

Additional information and the Modification Request form may be found on the Council's website at www.llr.sc.gov/bcc.

**DEPARTMENT OF LABOR, LICENSING AND REGULATION
BUILDING CODES COUNCIL**

NOTICE OF GENERAL PUBLIC INTEREST

NOTICE OF PUBLIC HEARING

The South Carolina Department of Labor, Licensing and Regulation and the Building Codes Council do hereby give notice under Section 6-9-40(A)(3) and (4), of the South Carolina Code of Laws, as amended, that a public hearing will be held on May 20, 2025, in the Midlands and Pee Dee Conference rooms in the Kingstree Building, 110 Centerview Drive, Columbia, SC 29210, at 10:30 A.M., at which time interested persons will be given the opportunity to appear and present views to the Council's appointed Study Committee on the following building codes for use in the State of South Carolina.

Mandatory codes include the:

2024 Edition of the International Building Code;
2024 Edition of the International Residential Code;
2024 Edition of the International Fire Code;
2024 Edition of the International Plumbing Code;
2024 Edition of the International Mechanical Code;
2024 Edition of the International Fuel Gas Code;
2023 Edition of the National Electrical Code.

20 NOTICES

Additional meetings, if needed, will be held on June 17, 2025, July 15, 2025, and August 12, 2025, in the Kingstree Building, at 110 Centerview Drive, Columbia, SC 29210. The Council's webpage will provide updates, if any, regarding these meetings, to include the time they will begin.

Any person who wishes to appear before or provide evidence or comments to the committee, or both, must submit a written notice of his or her intention to appear before the Study Committee to Maggie Smith, Administrator of the Building Codes Council, at the physical address stated below, or to the email address also provided below, by or before May 13, 2025.

Maggie Smith
S.C. Building Codes Council
SC Department of Labor, Licensing and Regulation
PO Box 11329
Columbia, SC 29211-1329
Maggie.Smith@llr.sc.gov

If any person chooses not to attend the hearing but wishes to submit evidence or comments for the Committee's consideration, the evidence or comments should be sent to the same addresses provided above by or before August 4, 2025.

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF GENERAL PUBLIC INTEREST

In accordance with Section 44-7-200(D), Code of Laws of South Carolina, the public is hereby notified that a Certificate of Need application has been accepted for filing and publication on **March 28, 2025**, for the following project(s). After the application is deemed complete, affected persons will be notified that the review cycle has begun. For further information, please contact Certificate of Need Program, at (803) 545-4200, or by email at coninfo@dph.sc.gov.

Affecting Berkeley, Charleston, Richland, and Lexington Counties

Integral Home Health d/b/a ViCare

The establishment of a Home Health Agency in Berkeley, Charleston, Richland, and Lexington Counties at a total project cost of \$5,000.00.

Affecting Charleston County

Trident Medical Center, LLC d/b/a Live Oak Mental Health & Wellness

The addition of 24 psychiatric beds for a total of 84 psychiatric beds at a total project cost of \$124,915.11.

Affecting Greenville County

Novant Health Greenville Hospital, LLC d/b/a Novant Health Greenville Hospital

The construction for the establishment of a new 20 general acute care bed hospital of 79,350 sf at a total project cost of \$132,134,992.52.

Prisma Health-Upstate d/b/a Prisma Health Greer Memorial Hospital

The addition of 69 acute care beds, 8 obstetric beds, 8 pediatric beds, and 8 ICU/CCU beds for a total of 175 beds with renovations at a total project cost of \$250,000,000.00.

Affecting Richland County

Encompass Health Rehabilitation Hospital of Irmo, LLC d/b/a Encompass Health Rehabilitation Hospital of Irmo

The addition of 22 rehabilitation beds for a total of 49 rehabilitation beds at a total project cost of \$35,000.00.

DEPARTMENT OF SOCIAL SERVICES
CHAPTER 114
 Statutory Authority: 1976 Code Section 43-1-80

Notice of Drafting:

The Department of Social Services proposes to amend regulations that address departmental rules and procedures implemented by the Office of Individual and Provider Rights. Interested persons may submit comments to Chip Payne, Director, Office of Individual and Provider Rights, South Carolina Department of Social Services, P.O. Box 1520, Columbia, SC 29202 or via email at chip.payne@dss.sc.gov. To be considered, comments must be received no later than 5:00 p.m. on Monday, April 28, 2025, the close of the drafting comment period.

Synopsis:

The Department of Social Services is responsible for establishing and promulgating rules and regulations that govern administrative fair hearings for the State's residents (public and private sector) who may be seeking participation in or receiving benefits or assistance from social service programs. The Department of Social Services is updating regulations found in the South Carolina Code of Regulations, Chapter 114, Articles 1, 11, and 13 to align the regulations with evolving policy and practice within the Department of Social Services and the Office of Individual and Provider Rights.

Legislative review of the amendments is required.

DEPARTMENT OF SOCIAL SERVICES
CHAPTER 114
 Statutory Authority: 1976 Code Sections 43-1-80 and 43-1-150

Notice of Drafting:

The South Carolina Department of Social Services proposes to amend Regulations 114-410, regarding release of records and privacy. Interested persons may submit comments to Laura Drew, Assistant General Counsel, Office of General Counsel, South Carolina Department of Social Services, P.O. Box 1520, Columbia, SC 29202 or via email at laura.drew@dss.sc.gov. To be considered, comments must be received no later than 5:00 p.m. on Monday, April 28, 2025, the close of the drafting comment period.

Synopsis:

The Department of Social Services is responsible for establishing and promulgating rules and regulations that govern release of records and privacy. The Department of Social Services is updating regulations found in the South Carolina Code of Regulations, Chapter 114, Article 4 to establish that the buildings, entryways and office spaces of County Departments of Social Services, ("Offices") as spaces the SC Legislature has designated for use by Clients of the Department who have a legitimate business purpose to visit the office. The Amendment further designates DSS offices as spaces that are not open to members of the public who are not Clients of the Department, and it would prohibit video and/or audio recording in areas where clients share private data.

Legislative review of this amendment will be required.

22 DRAFTING NOTICES

SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION CHAPTER 67

Statutory Authority: 1976 Code Sections 1-23-110(A)(1)(c), 42-3-30, and 42-5-20

Notice of Drafting:

The South Carolina Workers' Compensation Commission proposes to amend existing Regulation 67-1507 to clarify the manner in which the Commission may release the funds paid to the Commission from a letter of credit on behalf of an insolvent self-insurer when the Commission determines that all contingent liability arising during the period of self-insurance has expired. Interested persons may submit comments no later than April 30, 2025, to Gary M. Cannon, Executive Director, South Carolina Workers' Compensation Commission, PO Box 1715, Columbia, SC, 29202-1715, or electronically at gcannon@wcc.sc.gov.

Synopsis:

The South Carolina Workers' Compensation Commission proposes to amend Regulation 67-1507 to clarify the manner in which the Commission may release the funds paid to the Commission from a letter of credit on behalf of an insolvent self-insurer when the Commission determines that all contingent liability arising during the period of self-insurance has expired.

Legislative review of this amendment is required.

Document No. 5371
STATE BOARD OF EDUCATION
 CHAPTER 43

Statutory Authority: 1976 Code Sections 59-26-10, 59-26-30, and 59-26-40

43-234. Defined Program, Grades 9-12 and Graduation Requirements.

Preamble:

The State Board of Education proposes to amend Regulation 43-234.I: Defined Program for Grades 9-12 and Graduation Requirements. The SCDE proposes to update language in the regulation to align with statutory changes. Specifically, §59-29-120(A) requires that “public high schools must give instruction in the essentials of the United States Constitution, the Declaration of Independence, the Emancipation Proclamation, and the Federalist Papers. No student in any such school may receive a certificate of graduation without previously passing a course that includes instruction in the provisions and principles of the United States Constitution, the Declaration of Independence, the Emancipation Proclamation, and the Federalist Papers.” Currently, the Emancipation Proclamation is not included in Regulation 43-234.I.

Additionally, Act 26 of 2021 removed the following phrase: “including the study of and devotion to American institutions and ideals.” Currently, Regulation 43-234.I includes “American institutions and ideals.”

The proposed changes would add the Emancipation Proclamation and remove “American institutions and ideals” from the regulation to align it with statutory changes.

Section-by-Section Discussion:

Section I (D) Section I (D) is amended to add the Emancipation Proclamation to allow the regulation to be updated with current state legislation 59-29-120(A).

Additionally, Section I (D) is amended to remove “and American institutions and ideals” to align the regulation with Act 26 of 2021.

The Notice of Drafting for the proposed amendments to the regulation was published in the *State Register* on October 25, 2024.

Notice of Public Hearing and Opportunity for Public Comment:

A public hearing will be held on May 6, 2025, at 1:00 p.m. in Room A-111 of the South Carolina Department of Education, 849 Learning Lane, West Columbia, SC, 29172. The proposed amendments to the regulation will be posted on the State Board of Education web site for review and comment.

Written comments should be submitted to Kristi Austin, Director, Office of Assessment and Standards, Division of College, Career and Military Readiness, SC Department of Education, 849 Learning Lane, West Columbia, SC 29172 or by email kdaustin@ed.sc.gov on or before 5:00 p.m. on May 2, 2025.

Preliminary Fiscal Impact Statement:

No additional funding is requested. The South Carolina Department of Education (SCDE) estimates that no additional costs will be incurred by the State and its political subdivisions in complying with the proposed revisions to Regulation 43-234.

24 PROPOSED REGULATIONS

Statement of Need and Reasonableness:

DESCRIPTION OF REGULATION: Defined Program, Grades 9-12 and Graduation Requirements.

Purpose: State Board of Education Regulation 43-234 governs the requirements of students in grades 9-12 and graduation requirements.

Legal Authority: 1976 Code Sections 59-26-10, 59-26-30, and 59-26-40.

Plan for Implementation: The proposed amendments will be posted on the South Carolina Department of Education's Web site for review and comment. The amendments will take effect upon approval by the General Assembly and publication in the *State Register*.

DETERMINATION OF NEED AND REASONABLENESS OF THE PROPOSED REGULATION BASED ON ALL FACTORS HEREIN AND EXPECTED BENEFITS:

The purpose of this updated regulation is to clarify requirements of grades 9-12 and graduation requirements by adding language in current statute and deleting outdated language.

DETERMINATION OF COSTS AND BENEFITS:

There will be no increased cost to the state or its political subdivisions.

UNCERTAINTIES OF ESTIMATES:

There are no uncertainties of estimates relative to the cost to the State or its political subdivisions.

EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:

The proposed regulation has no effect on the environment or on public health.

DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE REGULATION IS NOT IMPLEMENTED:

There will be no detrimental effect on the environment or public health if the regulation is not implemented.

Statement of Rationale:

Amendments to the regulation will update current requirements for the defined program, grades 9-12 to align with state legislation.

Text:

The full text of this regulation is available on the South Carolina General Assembly Home Page: <http://www.scstatehouse.gov/regnsrch.php>. Full text may also be obtained from the promulgating agency.

Document No. 5372
DEPARTMENT OF LABOR, LICENSING, AND REGULATION
OFFICE OF OCCUPATIONAL SAFETY AND HEALTH
CHAPTER 71

Statutory Authority: 1976 Code Section 41-15-210

Article 1, Subarticles 6 and 7
Occupational Safety and Health Standards

The South Carolina Department of Labor, Licensing and Regulation, Division of Labor, Office of Occupational Safety and Health, hereby promulgates the following changes to South Carolina Regulations:

In Subarticle 6 (General Industry):

Revisions to Section 1910.1200, Hazard Communication Standard, as amended in Federal Register Volume 89, Number 196, dated October 9, 2024, pages 81829 through 81836. OSHA is correcting several inadvertent errors in the Hazard Communication Standard (HCS) which were published in the Federal Register on May 20, 2024. The agency identified several errors in the regulatory text and appendices to the HCS which pertain to the classification of hazardous chemicals and information presented on labels and Safety Data Sheets (SDSs). The agency believes these errors, although minor and primarily typographical in nature, should be addressed expeditiously to avoid confusion or unnecessary costs in the regulated community due to incorporation of errors on labels and SDSs.

Enforcement Stay of sections 1910.502(q)(2)(ii), (q)(3)(ii)-(iv), and 1910.502(r) Occupational Exposure to COVID-19 in Healthcare Settings as amended in Federal Register Volume 90, Number 9, dated Wednesday, January 15, 2025, pages 3665-3667. OSHA is terminating the rulemaking via this rule because the public health emergency is over and any ongoing risk by COVID-19 or other coronavirus hazards faced by healthcare workers would be better addressed at this time in a rulemaking addressing infectious diseases more broadly. As a result of the stay, OSHA will not cite employers for violations of the requirement to establish, maintain, and provide copies of a COVID-19 log under 29 CFR § 1910.502(q)(2)(ii) and (q)(3)(ii)-(iv) or to report COVID-19 fatalities and hospitalizations under 29 CFR 1910.502(r). This stay will remain in effect until further notice.

In Subarticle 7 (Construction):

Revision to Section 1926.95(c) – Personal Protective Equipment as amended in Final Register Volume 89, Number 239, dated December 12, 2024, pages 100321 through 100340.

The revision to the personal protective equipment (PPE) standard for construction, will explicitly state that PPE must fit properly. This revision will align the language in the PPE standard for construction with the corresponding language in OSHA's PPE standards for general industry and shipyards and affirm OSHA's interpretation of its PPE standard for construction as requiring properly fitting PPE. Properly fitting PPE is a critical element of an effective occupational safety and health program. OSHA did not adopt a formal definition of the meaning of "properly fits" in the amended regulations. However, in the notice of proposed rulemaking, OSHA explained that "proper fit" in the construction industry means that the PPE: is the appropriate size to provide an employee with the necessary protection from hazards and does not create additional safety and health hazards arising from being either too small or too large.

Copies of these final regulation changes can be obtained or reviewed at the South Carolina Department of Labor, Licensing and Regulation during normal business hours by contacting the OSHA Standards Office at (803) 896-5811 or by viewing the OSHA website at www.OSHA.gov.

26 FINAL REGULATIONS

Document No. 5329
DEPARTMENT OF NATURAL RESOURCES
CHAPTER 123

Statutory Authority: 1976 Code Sections 50-11-860, 50-11-2200, and 50-11-2210

123-204. Additional Regulations Applicable to Specific Properties.

Synopsis:

The Department of Natural Resources proposes to amend Regulation 123-204 “Additional Regulations Applicable to Specific Properties”. The subject of the proposed action is to amend the regulations to close access and landing, including intertidal areas, at Deveaux Bank between March 15 and October 15 to protect sea and shorebirds. Deveaux Bank is closed to public access year-round above the high tide line in order to protect birds, and other wildlife, during sensitive periods. Deveaux Bank was heavily impacted by recent storm events, including Hurricane Idalia, and experienced significant erosion. Public access to Deveaux Bank was closed by Emergency Regulation in May 2024 in order to protect nesting and migrating sea and shorebirds based on input from biologists, constituents and the public. Due to loss of nesting habitat and potential for significant disturbance to nesting birds by members of the public it is important to close all access to Deveaux Bank, including the intertidal zone, between March 15 and October 15 annually.

The Notice of Drafting was published in the *State Register* on September 27, 2024.

Instructions:

Print the regulation as shown below. All other items remain unchanged.

Text:

123-204. Additional Regulations Applicable to Specific Properties.

A. Aiken County Gopher Tortoise Heritage Preserve.

(1) Bicycles may be ridden on hiking trails. Bicyclists may ride in groups no larger than five (5).

B. Bay Point Heritage Preserve.

(1) No dogs are allowed.

(2) No person may enter any area of the preserve designated as a nesting area for birds.

C. Bear Branch Heritage Preserve.

Public visitation is by permit only. The preserve is closed to use except by permit.

D. Bear Island.

(1) Except when closed for scheduled hunts, the area is open from 1/2 hour before sunrise to 1/2 hour after sunset.

(2) The property is closed to all public access from November 1 through February 8, except for scheduled hunts.

(3) All terrain vehicles are prohibited.

- (4) Camping is allowed only at designated sites and only during scheduled big game hunts.
- (5) The area is closed to general public access during scheduled hunts.
- (6) Fishing is allowed in designated areas from April 1 through September 30.

E. Bird-Key Stono Heritage Preserve.

- (1) No dogs are allowed.
- (2) No person may enter any area of the preserve designated as a nesting area for birds.
- (3) March 15 through October 15 the area is closed to all access including the intertidal zone between low and high tide waterlines.
- (4) October 16 through March 14 access is allowed only in the intertidal zone between low and high tide waterlines.
- (5) No motorized vehicles, bicycles or horses.

F. Caper's Island Heritage Preserve.

- (1) Overnight Camping on Capers Island is by permit only. Permit may be obtained from the DNR Charleston office. No more than 80 people will be allowed to camp per night. These 80 people may be divided into no more than 20 different groups.
- (2) Permits will be issued on a first come first served basis.
- (3) Campsites will be occupied on a first come first served basis.
- (4) Permits are not required for day use.
- (5) Persons without permits must be off the island by one hour after sunset.
- (6) No trash is to be placed in any fire or buried.
- (7) Department maintenance facilities on the island are not open to the public.
- (8) No crab or fish pots or traps are allowed in impoundments.
- (9) No motorized vehicles, non-motorized vehicles, off road vehicles, or all-terrain vehicles are allowed on Capers Island.
- (10) No fishing is allowed from the impoundment tide gate.
- (11) Dogs are allowed on Caper's Island subject to the following restrictions:
 - (a) Dogs are allowed on the southern beaches of Caper's Island.
 - (b) Dogs are not allowed in the impoundment area.
 - (c) Dogs are not allowed on the northern beaches of Capers Island between April 1 and August 31. Areas closed to dogs are posted by the Department.

28 FINAL REGULATIONS

(d) Dogs restrained by a leash or similar device are allowed in the designated area on Price's Inlet.

G. Crab Bank Heritage Preserve.

(1) No dogs are allowed.

(2) No person may enter any area of the preserve designated as a nesting area for birds.

(3) March 15 through October 15 the area is closed to all access including the intertidal zone between low and high tide waterlines.

(4) October 16 through March 14 access is allowed only in the intertidal zone between low and high tide waterlines.

(5) No motorized vehicles, bicycles or horses.

H. Daws Island Heritage Preserve.

Camping is allowed only by permit issued by the Department. Primitive camping only is allowed. Daws Island camping is limited to two groups of no more than eight people in each group.

I. Deveaux Bank.

(1) No dogs are allowed.

(2) No person may enter any area of the preserve designated as a nesting area for birds.

(3) Closed all year above the high tide line. March 15 through October 15 the area is closed to all access including the intertidal zone between low and high tide waterlines.

(4) No motorized vehicles, bicycles or horses.

J. Donnelley WMA.

(1) Horseback riders must obtain a permit from the Donnelley WMA office prior to riding.

(2) All terrain vehicles are prohibited.

(3) Camping is prohibited.

K. Dungannon Plantation Heritage Preserve.

(1) No person may enter any area of the preserve designated as a nesting area for birds.

(2) Entrance to the preserve is through a designated parking area. Each person must sign in and out of the preserve at a designated entrance/exit.

L. Gopher Branch Heritage Preserve.

Public visitation is by permit only.

M. Great Pee Dee River Heritage Preserve.

(1) Primitive camping only is allowed. Camping may occur only along riverbanks and on sandbars, which may be approached only by backpacking or boat.

(2) Each person entering the preserve other than by boat must sign in and out at a designated entrance/exit.

N. Jim Timmerman Natural Resources Area at Jocassee Gorges.

This subsection shall apply to all Department owned and leased land within the boundaries of the Jim Timmerman Natural Resources Area at Jocassee Gorges (hereinafter referred to as Jocassee Gorges).

(1) Camping.

(a) Backcountry camping by permit will be allowed at any time during the year that the main roads allowing access to the Jocassee Gorges are not opened in connection with big game hunting. Backcountry camping is allowed by permit only at any location within the Jocassee Gorges, except for any area closed for camping by the Department. Backcountry camping is defined as minimal impact camping. No fires are allowed and each permitted camper is responsible for camping in a manner that results in no trace of the camping activity being left after breaking camp. Backcountry campers must apply for camping permits over the Department internet site. No camping is permitted within twenty-five (25) feet of a stream, lake, or as posted by the Department.

(b) The Foothills Trail and the Palmetto Trail pass through portions of the Jocassee Gorges. Use of the Foothills Trail and the Palmetto Trail shall be limited to hiking and primitive camping. Camping is allowed at any point along the trails and within one hundred feet of either side of the trails. Camping along the Foothills Trail and the Palmetto Trail is restricted to hikers while engaged in backpacking.

(2) Operation of motorized, non-motorized vehicles, all-terrain vehicles, and off-road vehicles. Motorized and non-motorized vehicle access to the Jocassee Gorges is limited. Highway 178 and Cleo Chapman Road (county road 143) are the only paved roads that access the property. Access by the general public to the Jocassee Gorges by motorized vehicles will follow a seasonal schedule with the exception of portions of Horsepasture and Camp Adger Roads. Road opening and closing schedules written below are given as general information. The Department may open and close any road at any time and for such duration as deemed necessary by the Department to manage the property.

(a) The operation of a motorized vehicle behind any closed gate is prohibited. Motorized, self-propelled, unmanned electric cargo carriers (“deer carts”) may be used for the purposes of hauling cargo and harvested game only.

(b) Roads open to year-round public access include a section of Horsepasture Road to Jumping Off Rock (from Highway 178 only) and a section of Camp Adger Road.

(c) All roads with Green gates are seasonally open. All roads with red gates are closed to vehicular traffic. This information will be posted at all major entrances.

(d) Motorized vehicles, all terrain vehicles, and off road vehicles may be operated only on open maintained roads and parking areas except as otherwise established by posted notice or as approved by the Department.

(e) Motorized vehicles, all terrain vehicles, and off road vehicles shall not exceed speed limits posted on Department signs. On any land where no speed limit signs are posted the speed limit shall be 15 miles per hour.

(f) Subject to the authority in subsection (d) above, the operation of all terrain vehicles is restricted as follows: Operation of all terrain vehicles is restricted to one hour before sunrise to one hour after sunset each

30 FINAL REGULATIONS

day beginning on Monday and continuing through the following Friday. A person may use an all terrain vehicle while actually engaged in hunting at any time hunting is allowed; provided, however, the operation of an all terrain vehicle is restricted to one hour before sunrise to one hour after sunset with the exception of game retrieval, and an all terrain vehicle may be used only on open roads. All terrain vehicles and off-road vehicles may not be operated on Horsepasture Road or Camp Adger Road during the periods January 16 - March 19 and May 11 - September 14 when the main roads are closed.

(g) All terrain vehicles having three (3) wheels and motorcycles constructed or intended primarily for off road use, such as dirt bikes and motocross bikes, are prohibited within the Jim Timmerman Natural Resources Area at all times.

(h) Bicycles may be ridden on any road or area that is not posted as closed to bicycles except that the Foothills Trail and Palmetto Trail are closed to bicycles.

(3) The use of hang gliders, parachutes, or similar devices is not allowed and may be deemed abuse of Department land.

(4) Sassafras Overlook Site. These regulations apply to the portion of Jocassee Gorges designated as the overlook site by the Department.

(a) No camping is allowed on the site.

(b) No fires are allowed on the site.

(c) The hours of operation are one hour before official sunrise to one hour after official sunset, except as permitted by the Department.

(d) No alcohol is allowed on the site.

(e) No motor vehicles are allowed except on public roads and in the designated parking area. Motorized scooters or similar vehicles designed specifically for use by disabled persons may only be used by disabled persons on the site. No ATVs, UTVs or similar vehicles are allowed on the site.

(f) No skateboards, hoverboards or similar devices are allowed on the site.

(g) No exclusive use of the site will be allowed by any party.

(h) No drones may be allowed on the site.

(i) No horses, mules, donkeys or other animals may be allowed on the site except pets as defined below.

(j) No pets will be allowed on the site except for dogs and cats. All pets must be restrained by a leash at all times and may not cause any disruption to other visitors, wildlife or the site. All pet waste must be picked up and removed from the site.

(k) Commercial vending is prohibited on the site.

(l) No bicycles may be ridden on the site, except on roads open to vehicular traffic and in designated parking areas.

(m) Special permits may be issued by the Department to allow activities prohibited herein.

(n) All other laws, regulations, and ordinances that apply to the site are also in effect.

(5) Abner Creek Falls Trail

(a) Human foot traffic only is permitted.

(b) No horses, bicycles, non-motorized conveyances or motor conveyance is permitted, except for motorized scooters or similar vehicles designed specifically for use by disabled persons that may only be used by disabled persons on the site.

(c) No access is allowed from the trail or platform to adjacent areas within 300 feet of the platform.

O. Joiner Bank Heritage Preserve.

(1) No dogs are allowed.

(2) No person may enter any area of the preserve designated as a nesting area for birds.

P. Little Pee Dee Heritage Preserve.

(1) Primitive camping only is allowed. Camping may occur only along riverbanks and on sandbars, which may be approached only by backpacking or boat.

Q. Nipper Creek Heritage Preserve.

Public visitation is by permit only. The preserve is closed to use except by permit.

R. North Santee Bar Heritage Preserve.

(1) No dogs are allowed.

(2) No person may enter any area of the preserve designated as a nesting area for birds.

S. St. Helena Sound Heritage Preserve (Ashe Island, Beet Island, Big Island, Warren Island, and South Williman).

Camping is restricted to primitive camping in designated areas only.

T. St. Helena Sound Heritage Preserve (Otter Island).

(1) No dogs are allowed.

(2) Primitive camping only is allowed by permit issued by the Department. Primitive camping is restricted to designated areas and will be allowed only between October 16 and March 14.

U. Samworth WMA.

(1) Managed wetlands will be open for wildlife observation, bird watching, photography or nature study during daylight hours (1/2 hour before sunrise to 1/2 hour after sunset) from February 9 through October 31 each year. Between November 1 and February 8 these activities will be restricted to designated areas on Butler Creek and the Big Pee Dee River. All public use of this type will be by foot travel only after arriving by watercraft.

(2) The mainland nature trail will be open during daylight hours (1/2 hour before sunrise to 1/2 hour after sunset) to foot traffic only.

32 FINAL REGULATIONS

(3) All terrain vehicles, bicycles, and horses are prohibited.

(4) Dirleton grounds are open to the public from 8:30 a.m. until 5:00 p.m., Monday through Friday.

V. Santee Coastal Reserve.

(1) The Santee Coastal Reserve is open during daylight hours (1/2 hour before sunrise to 1/2 hour after sunset) for limited public use year round except as listed below.

(2) Managed wetlands will be open for wildlife observation, bird watching, photography, or nature study during daylight hours (1/2 hour before sunrise to 1/2 hour after sunset) from February 9 through October 31 each year except during special hunts and events regulated by the Department.

(3) The dikes around the waterfowl impoundments will be closed, except by prior arrangement, during the period of November 1 through February 8 of the next year.

(4) Prior arrangements must be made with the Reserve Manager to use observation blinds for waterfowl.

(5) Upland trails will be available during open periods stated above.

(6) The beaches on Cedar and Murphy Islands will be open year round, seven days a week, during daylight hours. No person may enter any area designated as a critical area for wildlife.

(7) Bicycles may be ridden on upland trails year round and on dikes from February 9 - October 31.

(8) Fishing is permitted from the Santee River dock and the Hog Pen impoundment except during scheduled waterfowl hunts. Fishing will be allowed during daylight hours (1/2 hour before sunrise to 1/2 hour after sunset). Fishing is permitted on Murphy and Cedar Island beaches at any time on a year round basis.

(9) Primitive camping on Cedar and Murphy Islands is restricted to designated areas and will be allowed only between October 16 and March 14. Camping on the mainland portion is restricted to the designated campground. Mainland camping registration is required at the campground self-serve kiosk. Advance registration is required for groups greater than 15 people.

(10) Dogs are allowed on Cedar and Murphy Islands subject to the following restrictions:

(a) Dogs are allowed during participation in scheduled hunts

(b) Dogs are allowed in designated areas at the southern end of Cedar Island and the South Santee side of Murphy Island.

(c) Dogs are prohibited in all other areas of Cedar and Murphy Island between April 1 and August 30.

(d) Areas closed to dogs are posted by the Department.

W. Santee-Delta WMA.

(1) Managed wetlands will be open for wildlife observation, bird watching, photography or nature study during daylight hours (1/2 hour before sunrise to 1/2 hour after sunset) from February 9 through October 31 each year except during special hunts and events regulated by the Department. Area closed to all public access from November 1 through February 8 except for special hunts and events regulated by the Department. All public use of this type will be by foot travel only.

(2) All terrain vehicles, bicycles, and horses are prohibited.

(3) Camping is prohibited.

X. Shealy's Pond Heritage Preserve.

Gasoline powered motors on boats are prohibited.

Y. Tillman Sand Ridge Heritage Preserve.

(1) Camping is allowed in designated campsites during designated hunts only.

Z. Tom Yawkey Wildlife Center.

The Center is a wildlife sanctuary. Boating, fishing and wildlife viewing in or upon navigable waters is allowed.

(1) Public visitation is by pre-scheduled educational field trips only. The scheduling of educational field trips is at the discretion of SCDNR.

(2) Primitive camping is allowed by permit only. Requests for permits should be no less than 2 weeks prior to their effective date. Primitive camping is allowed only at Department designated locations along the beach front from October 16 and March 14. Only one permit will be issued for each location at a time. Camping is allowed for a period of not more than 4 consecutive nights per individual permit holder.

(3) No dogs are allowed on beaches, except in the designated public access area.

AA. Victoria Bluff Heritage Preserve.

(1) No campfires or any other use of fire shall be allowed.

BB. Waccamaw River Heritage Preserve.

Primitive camping only is allowed. Camping is allowed only along riverbanks and on sandbars; campers may approach only by backpacking or boat.

CC. Watson Cooper Heritage Preserve.

Camping is restricted to primitive camping. No live plants may be cut or cleared to improve or expand a campsite. No campsites or campfires within 25 feet of a stream or creek.

DD. Webb WMA.

(1) Webb WMA is closed to the general public from one hour after official sunset to one hour before official sunrise.

(2) Overnight visitors to the Webb Center are not restricted in hours of access.

(3) No camping without a permit except for deer, turkey, and hog hunters on nights before a designated hunt.

34 FINAL REGULATIONS

(4) Bicycles may be ridden on any area that is not marked or posted as restricted to bicycles. No bicycle may be operated in any manner or place that will damage or degrade any feature or habitat. During scheduled big game hunts, bicycles and all terrain vehicles are prohibited except as used by legal hunters and anglers.

EE. Laurel Fork Heritage Preserve.

(1) All terrain vehicles may be ridden on the portions of Cane Break and Horsepasture roads on the Preserve subject to the same rules as the Jim Timmerman Natural Resources Area at Jocassee Gorges.

FF. Botany Bay Plantation WMA.

(1) No camping is allowed.

(2) All terrain vehicles are prohibited except those permitted by the Department for special management activities.

(3) The Fig Island shell rings are closed to all public access except organized scientific, management or educational activities permitted by the Department.

(4) Access to the beach is by foot, bicycle or boat; no horses allowed on the beach. No dogs allowed on the beach. No collection, removal or possession of shells, fossils, driftwood or cultural artifacts is permitted.

(5) Sea Cloud Landing on Ocella Creek and all other designated access points are restricted to non-trailer watercraft.

(6) All hunters, fishermen and visitors must obtain and complete a day use pass upon entering the area and follow instructions on the pass.

(7) No person may gather, collect, deface, remove, damage, disturb, destroy, or otherwise injure in any manner whatsoever the plants, animals (except lawful hunting), fungi, rocks, minerals, fossils, artifacts, or ecofacts including but not limited to any tree, flower, shrub, fern, moss, charcoal, plant remains, or animal remains. The Department may authorize the collection of certain material upon issuance of a permit as provided in 123-206.

(8) Shorebased fishing, shrimping, and crabbing, is allowed only on the front beach and in designated areas only.

(9) The Department reserves the right to close specific areas as needed for management purposes.

(10) Alcoholic beverages are prohibited on the area.

GG. McBee WMA.

(1) All terrain vehicles are prohibited.

HH. Campbells Crossroads and Angelus Tract.

(1) All terrain vehicles are prohibited.

II. Pee Dee Station WMA.

(1) All terrain vehicles are prohibited.

JJ. Daily use cards are required for all users of Hamilton Ridge WMA, Palachucola WMA, Webb WMA, Tillman Sand Ridge Heritage Preserve, Bonneau Ferry WMA, Bear Island WMA, Donnelley WMA, Great Pee Dee River Heritage Preserve, Belfast WMA, Congaree Bluffs Heritage Preserve, Marsh WMA, Woodbury WMA, Worth Mountain WMA, Liberty Hill WMA and Santee Cooper WMA. Cards must be in possession while on the property and completed cards must be returned daily upon leaving the property.

KK. Liberty Hill WMA

- (1) All-terrain vehicles are prohibited.
- (2) The area is closed to public access 1/2 hour after sunset until 1/2 hour before sunrise except for hunts and special events regulated by the Department.

LL. Wateree River HP WMA

- (1) All-terrain vehicles are prohibited.
- (2) The waterfowl impoundments are closed to all public access from November 1 through February 8, except for scheduled hunts.
- (3) The area is closed to public access 1/2 hour after sunset until 1/2 hour before sunrise except for special events regulated by the Department.
- (4) All users, including hunters and anglers must obtain and possess a day use pass upon entering the area and follow instructions on the pass. The completed form must be deposited in the designated container before leaving the area.

(5) Special events may be permitted by the Department.

(6) Horseback riding is prohibited except by special permit.

MM. Lewis Ocean Bay HP WMA

(1) Horseback riding is also allowed during the period January 2 through March 1, subject to the restrictions in Regulation 123-203, Paragraph G, sections (2) through (11).

NN. Turtle Island WMA

(1) No dogs are allowed, except during participation in scheduled hunts, and when physically restrained by a leash or similar device between Sept 1 and March 31.

(2) Primitive camping is restricted to designated areas and will be allowed only between October 16 and March 14.

OO. Pine Island

(1) No dogs are allowed, except when physically restrained by a leash or similar device between Sept 1 and March 31.

PP. Tall Pines WMA

(1) Bicycles are prohibited except as used by hunters during open season for any species.

36 FINAL REGULATIONS

QQ. Bundrick Island

(1) Hours of public access are from sunrise to sunset unless otherwise posted or publicized. Exceptions may occur for SCDNR-approved events, in SCDNR designated camping areas or for SCDNR approved research or other projects.

(2) Bicycles are allowed on designated trails only.

(3) Possession of alcoholic beverages is prohibited.

(4) All terrain vehicles (ATVs) and off-road vehicles are prohibited.

(5) Hunting is prohibited.

Fiscal Impact Statement:

The amendment of Regulation 123-204 will not result in additional fiscal impact to the state.

Statement of Rationale:

Rationale for the formulation of these regulations is based on over 70 years of experience by SCDNR in managing wildlife populations and establishing public hunting and recreation. SCDNR seeks to balance the objectives of resource protection and public use.