**South Carolina General Assembly**

124th Session, 2021-2022

**H. 3007**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Elliott and Pendarvis

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Introduced in the House on January 12, 2021

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

Summary: Motor vehicle records and driver's license

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/9/2020 House Prefiled

12/9/2020 House Referred to Committee on **Education and Public Works**

1/12/2021 House Introduced and read first time ([House Journal‑page 33](file:///h:\hj\20210112.docx))

1/12/2021 House Referred to Committee on **Education and Public Works** ([House Journal‑page 33](file:///h:\hj\20210112.docx))

2/9/2021 House Recalled from Committee on **Education and Public Works** ([House Journal‑page 16](file:///h:\hj\20210209.docx))

2/9/2021 House Committed to Committee on **Judiciary** ([House Journal‑page 16](file:///h:\hj\20210209.docx))

2/17/2021 House Member(s) request name added as sponsor: Pendarvis

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**VERSIONS OF THIS BILL**

[12/9/2020](file:///p:\pprever\2021-22\3007_20201209.docx)

**A** **BILL**

TO AMEND SECTION 19‑5‑30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ADMISSIBILITY OF CERTIFIED DEPARTMENT OF MOTOR VEHICLES RECORDS IN A COURT PROCEEDING, SO AS TO PROVIDE CERTIFIED COPIES MUST INCLUDE A WATERMARK APPLIED TO THE DOCUMENT WHEN IT IS PRINTED FROM THE DEPARTMENT’S COMPUTER SYSTEM; TO AMEND SECTION 56‑1‑365, RELATING TO A PERSON WHO MUST SURRENDER HIS DRIVER’S LICENSE WHEN HE IS CONVICTED OF AN OFFENSE THAT REQUIRES HIS DRIVER’S LICENSE TO BE REVOKED OR SUSPENDED, SO AS TO PROVIDE THAT CLERKS OF COURT AND MAGISTRATES MUST TRANSMIT ELECTRONICALLY CERTAIN DOCUMENTS TO THE DEPARTMENT OF MOTOR VEHICLES AND MAKE TECHNICAL CHANGES; TO AMEND SECTION 56‑5‑6230, RELATING TO A COURT’S DUTY TO NOTIFY THE DEPARTMENT OF MOTOR VEHICLES WHEN A PERSON CHARGED WITH A TRAFFIC OFFENSE CASE HAS BEEN DISPOSED, SO AS TO MAKE TECHNICAL CHANGES AND TO PROVIDE THE NOTIFICATION MUST BE MADE ELECTRONICALLY WITHIN FIVE BUSINESS DAYS AFTER THE DISPOSITION OF THE CASE; AND TO AMEND SECTION 56‑25‑20, RELATING TO THE SUSPENSION OF A DRIVER’S LICENSE FOR FAILURE TO COMPLY WITH A TRAFFIC CITATION FOR A LITTER VIOLATION, SO AS TO PROVIDE THAT NOTIFICATION OF THE CITATION MUST BE MADE ELECTRONICALLY TO THE DEPARTMENT OF MOTOR VEHICLES.

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

SECTION 1. Section 19‑5‑30 of the 1976 Code is amended to read:

“Section 19‑5‑30. Photostatic, optical disk, or certified copies of motor vehicle registration applications, registrations, notices of cancellation, suspensions or revocations, reports of violations, and documents pertaining to the motor vehicle safety responsibility laws of this State, when certified by the director of the Department of Motor Vehicles, or his designee, as true copies of originals, on file with the Department of Motor Vehicles, ~~shall be~~ are admissible in any proceedings in any court in like manner as the original ~~thereof~~. Certification includes a watermark applied to a copy of the document when it is printed from the department’s computer system.”

SECTION 2. Section 56‑1‑365(B) of the 1976 Code is amended to read:

“(B) The Department of Motor Vehicles shall electronically receive disposition and license surrender information from the clerk of court or magistrate immediately after receipt. Along with the driver’s license surrender information, the clerks and magistrates must ~~give the department’s agents~~ transmit electronically to the department tickets, arrest warrants, and other documents or copies of them~~, including any reinstatement fee paid at the time of the verdict, guilty plea, or plea of nolo contendere,~~ as necessary for the department to process the revocation or suspension of the licenses~~. If the department does not collect the license surrender information and disposition immediately, the magistrate or clerk must forward the license surrender information, disposition, and other documentation to the department~~ within five business days after receipt. A clerk or magistrate who ~~wilfully~~ fails or neglects to forward the driver’s license ~~and~~ surrender information or disposition as required in this section is ~~liable to indictment~~ guilty of a misdemeanor and, upon conviction, must be fined not exceeding five hundred dollars.”

SECTION 3. Section 56‑5‑6230 of the 1976 Code is amended to read:

“Section 56‑5‑6230. Any ~~magistrate’s~~ court~~, municipal court, or other court of competent jurisdiction~~ must notify the Department of Motor Vehicles electronically when any person charged with a traffic violation in such court~~, upon conviction, or other plea has paid the~~ is convicted, pays a fine therefor, or ~~forfeited~~ forfeits the bond previously posted. The electronic notification must be made within five business days of the conviction, payment, or forfeiture.”

SECTION 4. Section 56‑25‑20 of the 1976 Code is amended to read:

“Section 56‑25‑20. When a South Carolina court or the driver licensing authority of a compact jurisdiction notifies the Department of Motor Vehicles that a resident of South Carolina or person possessing a valid South Carolina driver’s license has failed to comply with the terms of a traffic citation or an official Department of Natural Resources summons for a littering violation issued in this or any compact jurisdiction, the department may suspend or refuse to renew the person’s driver’s license if the notice from a South Carolina court or the driver licensing authority of a compact jurisdiction is received no more than twelve months from the date on which the traffic citation or an official Department of Natural Resources summons for a littering violation was issued or adjudicated. Notification to the Department of Motor Vehicles must be made electronically, pursuant to the department’s standards. The license must remain suspended until satisfactory evidence has been furnished to the department of compliance with the terms of the citation or an official Department of Natural Resources summons for a littering violation and any further order of the court having jurisdiction in the matter and until a reinstatement fee as provided in Section 56‑1‑390 is paid to the department. A person whose license is suspended under this section is not required to file proof of financial responsibility as required by the Financial Responsibility Act (Chapter 9 of Title 56) as a condition for reinstatement.

Upon notification by a South Carolina court that a nonresident licensed in a compact jurisdiction has failed to comply with the terms of a traffic citation or an official Department of Natural Resources summons for a littering violation, the department shall notify the licensing authority in the compact jurisdiction for such action as appropriate under the terms of the compacts.”

SECTION 5. This act takes effect upon approval by the Governor.

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