

Session 119 - (2011-2012)

S*0336 (Rat #0097, Act #0065 of 2011) General Bill, By Grooms

Summary: Traffic enforcement with cameras

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-7-35 SO AS TO PROVIDE THAT A LAW ENFORCEMENT OFFICER WHO ISSUES A UNIFORM TRAFFIC TICKET FOR A VIOLATION OF A LOCAL ORDINANCE OR TRAFFIC LAWS RELATING TO SPEEDING OR DISREGARDING A TRAFFIC CONTROL DEVICE MUST ISSUE IT INCIDENT TO AND CONTEMPORANEOUS WITH A TRAFFIC STOP, TO PROVIDE THAT A CITATION ISSUED PURSUANT TO A LOCAL ORDINANCE OR TRAFFIC LAW MAY NOT BE BASED UPON PHOTOGRAPHIC EVIDENCE, HOWEVER, THIS EVIDENCE MAY BE USED TO CORROBORATE THE TESTIMONY OF A LAW ENFORCEMENT OFFICER WHO OBSERVED THE OFFENSE, AND TO PROVIDE THAT THIS SECTION DOES NOT APPLY TO TOLL COLLECTION; TO AMEND SECTION 56-5-710, RELATING TO A LOCAL AUTHORITY'S RIGHT TO REGULATE ITS STREETS AND HIGHWAYS AND TRAFFIC ALONG ITS STREETS AND HIGHWAYS, SO AS TO PROVIDE THAT A LOCAL AUTHORITY MAY NOT ISSUE A UNIFORM TRAFFIC CITATION FOR VIOLATING A LOCAL ORDINANCE OR THE TRAFFIC LAWS RELATING TO SPEEDING OR DISREGARDING TRAFFIC CONTROL DEVICES BASED UPON PHOTOGRAPHIC EVIDENCE; TO AMEND SECTION 56-5-70, AS AMENDED, RELATING TO THE SUSPENSION OF REQUIREMENTS RELATING TO THE REGISTRATION, PERMITTING, LENGTH, WIDTH, WEIGHT, LOAD, AND TIME OF SERVICE FOR CERTAIN VEHICLES DURING A STATE OF EMERGENCY, SO AS TO REVISE THE PROVISION THAT PROVIDES FOR THE ISSUANCE OF CITATIONS FOR VIOLATING CERTAIN TRAFFIC LAWS BASED ON PHOTOGRAPHIC EVIDENCE BY PROVIDING THAT IT ALSO APPLIES TO VIOLATIONS OF LOCAL ORDINANCES, VIOLATIONS BASED IN WHOLE OR IN PART ON PHOTOGRAPHIC EVIDENCE, WHETHER GATHERED IN CONJUNCTION WITH RADAR SPEED DETECTION DEVICES AND WHETHER THE CAMERA OR OTHER ELECTRONIC DEVICE CAPTURING THE EVIDENCE WAS ATTENDED OR UNATTENDED AT THE TIME IT CAPTURED THIS PHOTOGRAPHIC EVIDENCE, AND TO PROVIDE THE CIRCUMSTANCE WHEN A PERSON WHO RECEIVED A CITATION BASED ON PHOTOGRAPHIC EVIDENCE MAY BE SERVED NOTICE OF THE VIOLATION AFTER ONE HOUR OF THE OCCURRENCE OF THE VIOLATION; AND TO PROVIDE FOR THE ESTABLISHMENT OF THE SOUTH CAROLINA TRAFFIC ENFORCEMENT COMMISSION, AND ITS MEMBERSHIP, POWERS AND DUTIES. - ratified title

01/11/11	Senate	Introduced and read first time (Senate Journal-page 149)
01/11/11	Senate	Referred to Committee on Transportation (Senate Journal-page 149)
02/03/11	Senate	Committee report: Favorable with amendment Transportation (Senate Journal-page 11)
03/03/11	Senate	Committee Amendment Adopted (Senate Journal-page 21)
03/03/11	Senate	Amended (Senate Journal-page 21)
03/03/11	Senate	Read second time (Senate Journal-page 21)
03/03/11	Senate	Roll call Ayes-40 Nays-0 (Senate Journal-page 21)
03/04/11		Scrivener's error corrected
03/30/11	Senate	Read third time and sent to House (Senate Journal-page 34)
03/31/11	House	Introduced and read first time (House Journal-page 15)
03/31/11	House	Referred to Committee on Judiciary (House Journal-page 15)
05/18/11	House	Committee report: Favorable with amendment Judiciary (House Journal-page 60)
05/24/11	House	Debate adjourned (House Journal-page 66)
05/24/11	House	Debate adjourned until Wednesday, May 25, 2011 (House Journal-page 107)
05/25/11	House	Debate adjourned until Thursday, May 26, 2011 (House Journal-page 24)
05/26/11	House	Requests for debate-Rep(s). Crawford, Chumley, Lowe, Viers, Crosby, Bannister, Brantley, Hosey, Hayes, and Anthony (House Journal-page 15)
05/26/11	House	Amended (House Journal-page 36)
05/26/11	House	Read second time (House Journal-page 36)
05/26/11	House	Roll call Yeas-99 Nays-1 (House Journal-page 36)
05/27/11		Scrivener's error corrected
06/01/11	House	Amended (House Journal-page 41)
06/01/11	House	Read third time and returned to Senate with amendments (House Journal-page 41)
06/01/11	House	Roll call Yeas-92 Nays-0 (House Journal-page 41)
06/14/11	Senate	Concurred in House amendment and enrolled (Senate Journal-page 105)
06/16/11		Ratified R 97
06/17/11		Signed By Governor

06/22/11

Effective date 06/17/11

06/27/11

Act No. 65