**South Carolina General Assembly**

119th Session, 2011-2012

**A224, R261, S105**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Verdin, Leventis and L. Martin

Document Path: l:\s-res\dbv\003tour.kmm.dbv.docx

Companion/Similar bill(s): 3511

Introduced in the Senate on January 11, 2011

Introduced in the House on March 12, 2012

Last Amended on May 31, 2012

Passed by the General Assembly on June 6, 2012

Governor's Action: June 18, 2012, Signed

Summary: Department of Transportation

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 12/1/2010 Senate Prefiled

 12/1/2010 Senate Referred to Committee on **Transportation**

 1/11/2011 Senate Introduced and read first time ([Senate Journal‑page 50](file:///h%3A%5Csj%20archive%5C2011%5C01-11-11.docx))

 1/11/2011 Senate Referred to Committee on **Transportation** ([Senate Journal‑page 50](file:///h%3A%5Csj%20archive%5C2011%5C01-11-11.docx))

 3/6/2012 Senate Committee report: Favorable **Transportation** ([Senate Journal‑page 15](file:///h%3A%5Csj%20archive%5C2012%5C03-06-12.docx))

 3/7/2012 Scrivener's error corrected

 3/7/2012 Senate Amended ([Senate Journal‑page 24](file:///h%3A%5Csj%20archive%5C2012%5C03-07-12.docx))

 3/7/2012 Senate Read second time ([Senate Journal‑page 24](file:///h%3A%5Csj%20archive%5C2012%5C03-07-12.docx))

 3/7/2012 Senate Roll call Ayes‑39 Nays‑2 ([Senate Journal‑page 24](file:///h%3A%5Csj%20archive%5C2012%5C03-07-12.docx))

 3/8/2012 Senate Read third time and sent to House ([Senate Journal‑page 9](file:///h%3A%5Csj%20archive%5C2012%5C03-08-12.docx))

 3/12/2012 House Introduced and read first time ([House Journal‑page 2](file:///h%3A%5Chj%20archive%5C2012%5C03-12-12.docx))

 3/12/2012 House Referred to Committee on **Education and Public Works** ([House Journal‑page 2](file:///h%3A%5Chj%20archive%5C2012%5C03-12-12.docx))

 4/26/2012 House Committee report: Favorable with amendment **Education and Public Works** ([House Journal‑page 110](file:///h%3A%5Chj%20archive%5C2012%5C04-26-12.docx))

 4/27/2012 Scrivener's error corrected

 5/1/2012 House Debate adjourned until Thur., 05‑03‑12 ([House Journal‑page 48](file:///h%3A%5Chj%20archive%5C2012%5C05-01-12.docx))

 5/15/2012 House Debate adjourned until Wed., 05‑16‑12 ([House Journal‑page 18](file:///h%3A%5Chj%20archive%5C2012%5C05-15-12.docx))

 5/16/2012 House Requests for debate‑Rep(s). Hiott, Rutherford, Toole, Tallon, Parks, RL Brown, Skelton, Gilliard, Mack, VS Moss, Taylor, Brantley ([House Journal‑page 13](file:///h%3A%5Chj%20archive%5C2012%5C05-16-12.docx))

 5/16/2012 House Amended ([House Journal‑page 26](file:///h%3A%5Chj%20archive%5C2012%5C05-16-12.docx))

 5/16/2012 House Read second time ([House Journal‑page 26](file:///h%3A%5Chj%20archive%5C2012%5C05-16-12.docx))

 5/16/2012 House Roll call Yeas‑113 Nays‑0 ([House Journal‑page 31](file:///h%3A%5Chj%20archive%5C2012%5C05-16-12.docx))

 5/17/2012 House Reconsidered

 5/17/2012 House Amended ([House Journal‑page 24](file:///h%3A%5Chj%20archive%5C2012%5C05-17-12.docx))

 5/17/2012 House Read second time ([House Journal‑page 24](file:///h%3A%5Chj%20archive%5C2012%5C05-17-12.docx))

 5/17/2012 House Roll call Yeas‑102 Nays‑1 ([House Journal‑page 27](file:///h%3A%5Chj%20archive%5C2012%5C05-17-12.docx))

 5/17/2012 House Unanimous consent for third reading on next legislative day ([House Journal‑page 28](file:///h%3A%5Chj%20archive%5C2012%5C05-17-12.docx))

 5/17/2012 Scrivener's error corrected

 5/18/2012 Scrivener's error corrected

 5/18/2012 House Read third time and returned to Senate with amendments ([House Journal‑page 1](file:///h%3A%5Chj%20archive%5C2012%5C05-18-12.docx))

 5/31/2012 Senate House amendment amended ([Senate Journal‑page 92](file:///h%3A%5Csj%20archive%5C2012%5C05-31-12.docx))

 5/31/2012 Senate Roll call Ayes‑36 Nays‑0 ([Senate Journal‑page 92](file:///h%3A%5Csj%20archive%5C2012%5C05-31-12.docx))

 5/31/2012 Senate Returned to House with amendments ([Senate Journal‑page 92](file:///h%3A%5Csj%20archive%5C2012%5C05-31-12.docx))

 6/1/2012 Scrivener's error corrected

 6/6/2012 House Concurred in Senate amendment and enrolled ([House Journal‑page 53](file:///h%3A%5Chj%20archive%5C2012%5C06-06-12.docx))

 6/6/2012 House Roll call Yeas‑102 Nays‑0 ([House Journal‑page 53](file:///h%3A%5Chj%20archive%5C2012%5C06-06-12.docx))

 6/12/2012 Ratified R 261

 6/18/2012 Signed By Governor

 6/20/2012 Effective date 06/18/12

 6/26/2012 Act No. 224

**VERSIONS OF THIS BILL**

[12/1/2010](file:///p%3A%5Cpprever%5C2011-12%5C105_20101201.docx)

[3/6/2012](file:///p%3A%5Cpprever%5C2011-12%5C105_20120306.docx)

[3/7/2012](file:///p%3A%5Cpprever%5C2011-12%5C105_20120307.docx)

[3/7/2012-A](file:///p%3A%5Cpprever%5C2011-12%5C105_20120307A.docx)

[4/26/2012](file:///p%3A%5Cpprever%5C2011-12%5C105_20120426.docx)

[4/27/2012](file:///p%3A%5Cpprever%5C2011-12%5C105_20120427.docx)

[5/16/2012](file:///p%3A%5Cpprever%5C2011-12%5C105_20120516.docx)

[5/17/2012](file:///p%3A%5Cpprever%5C2011-12%5C105_20120517.docx)

[5/17/2012-A](file:///p%3A%5Cpprever%5C2011-12%5C105_20120517A.docx)

[5/18/2012](file:///p%3A%5Cpprever%5C2011-12%5C105_20120518.docx)

[5/31/2012](file:///p%3A%5Cpprever%5C2011-12%5C105_20120531.docx)

[6/1/2012](file:///p%3A%5Cpprever%5C2011-12%5C105_20120601.docx)

(A224, R261, S105)

**AN ACT** **TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 8 TO CHAPTER 25, TITLE 57, SO AS TO CREATE THE AGRITOURISM AND TOURISM‑ORIENTED SIGNAGE PROGRAM, TO DEFINE NECESSARY TERMS, TO DIRECT THE DEPARTMENT OF TRANSPORTATION TO CREATE AND SUPERVISE A STATEWIDE PROGRAM RELATED TO PROVIDING DIRECTIONAL SIGNS ALONG THE STATE’S RURAL CONVENTIONAL HIGHWAYS AND NONINTERSTATE SCENIC BYWAYS LEADING TO AGRITOURISM AND TOURISM‑ORIENTED FACILITIES, TO PROVIDE FOR AN OVERSIGHT COMMITTEE TO APPROVE APPLICATIONS FOR SIGNAGE; TO DIRECT THE DEPARTMENTS OF AGRICULTURE AND PARKS, RECREATION AND TOURISM TO DEVELOP LOGOS TO BE UTILIZED FOR THE SIGNAGE; AND BY ADDING SECTION 57‑7‑90 SO AS TO PROVIDE THAT IT IS UNLAWFUL TO CAMP WITHIN THE RIGHT OF WAY OF A HIGHWAY UNDER CERTAIN CIRCUMSTANCES AND TO PROVIDE A PENALTY.**

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

**Agritourism and Tourism‑Oriented Signage Program**

SECTION 1. Chapter 25, Title 57 of the 1976 Code is amended by adding:

“Article 8

Agritourism and Tourism-Oriented Signage Program

 Section 57‑25‑800. As used in this article:

 (1) ‘Agritourism‑oriented facility’ means a type of location where an agritourism activity, as defined in Section 46‑53‑10(1), is carried out by an agritourism professional, as defined in Section 46‑53‑10(2), or another type of agricultural facility recommended by the Department of Agriculture and incorporated into regulations of the Department of Transportation pursuant to Section 57‑25‑830(A).

 (2) ‘Tourism‑oriented facility’ means a type of facility recommended by the Department of Parks, Recreation and Tourism and incorporated into regulations of the Department of Transportation pursuant to Section 57‑25‑830(A).

 (3) ‘Conventional highway’ means a highway with at‑grade intersections and without control of access.

 (4) ‘Rural’ means an area outside the limits of an incorporated municipality having a population of five thousand or more according to the most recent decennial census of the United States Bureau of Census.

 Section 57‑25‑810. In an effort to promote and assist South Carolina facilities that have an interest in educating, sharing, and selling their programs and products to the general public, the Department of Transportation is directed to create and supervise a coordinated, self‑funded, statewide program related to providing directional signs along certain of the state’s rural conventional highways and noninterstate scenic byways leading to agritourism and tourism‑oriented facilities. The statewide program shall be operated according to standards and regulations consistent with the Manual on Uniform Traffic Control Devices authorized to be adopted and promulgated by the Department of Transportation. The standards and regulations may provide for the use of official logos developed by the Department of Parks, Recreation and Tourism and the Department of Agriculture in compliance with the federal Manual on Uniform Traffic Control Devices. The standards and regulations also may provide for cooperative agreements between the department and private interests for the administration of the program and for the use and display of names for tourism and agritourism information signs on the highway right of way.

 Section 57‑25‑820. (A) The Department of Transportation shall be responsible for the erection and maintenance of the official signs giving specific information to the traveling public providing directions to agritourism and tourism‑oriented facilities. All signs must conform to department rules and regulations regarding the size and placement of the signs and be in compliance with all federal and state regulations.

 (B) The Department of Transportation shall coordinate with the Department of Agriculture and the Department of Parks, Recreation and Tourism, as applicable, to allow those departments to promote agritourism and tourism‑oriented facilities participating in this directional signage program.

 (C) The criteria for selection of qualified agritourism facilities shall be recommended by the Department of Agriculture and incorporated into regulations of the Department of Transportation pursuant to Section 57‑25‑830(A) . The criteria for selection of qualified tourism facilities shall be recommended by the Department of Parks, Recreation and Tourism and incorporated into regulations of the Department of Transportation pursuant to Section 57‑25‑830(A).

 (D) The approval of applications for signs for agritourism and tourism‑oriented facilities must be determined by an oversight committee. The oversight committee shall consist of the following members and shall meet at the call of the chairman semiannually to consider applications for signage:

 (1) Secretary of the Department of Transportation, or his designee, serving as chairman;

 (2) Director of the Department of Parks, Recreation and Tourism, or his designee;

 (3) Commissioner of the Department of Agriculture, or his designee;

 (4) President of the South Carolina Association of Tourism Regions (SCATR), or his designee, and a member of SCATR appointed by its president;

 (5) President of the South Carolina Travel and Tourism Coalition, or his designee, and a member of the SCTTC appointed by its president; and

 (6) President of the Outdoor Advertising Association of South Carolina, or his designee, and a member of the Outdoor Advertising Association appointed by its president.

 Section 57‑25‑830. (A) Qualified facilities which elect to participate in the directional signage program must submit an application to the Department of Transportation on a form to be supplied by the department. Eligibility and approval to participate in the signage program must be determined by written criteria to be set forth by the Department of Transportation in regulation.

 (B) Participating facilities are responsible for the cost of the signs and their installation and maintenance.”

**Department of Agriculture and the Department of Parks, Recreation and Tourism to develop logos for signage**

SECTION 2. The Department of Agriculture and the Department of Parks, Recreation and Tourism must develop logos to be utilized for the signage authorized by this act. The logos developed may be used by those departments for other promotional purposes associated with tourism and agritourism.

**Highways, unlawful to camp within right of way of a highway**

SECTION 3. Article 1, Chapter 7, Title 57 of the 1976 Code, is amended by adding:

 “Section 57‑7‑90.(A) For purposes of this section, the term ‘camp’ means camping for more than forty‑eight hours.

 (B) It is unlawful for any person to camp, set fires, or cook within the right of way of a highway open to vehicular traffic. A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than one hundred dollars or imprisoned not more than thirty days or such other lesser disposition, penalty, or nonpenalty, as the court determines.”

**Time effective**

SECTION 4. This act takes effect upon approval by the Governor.

Ratified the 12th day of June, 2012.

Approved the 18th day of June, 2012.

\_\_\_\_\_\_\_\_\_\_