~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE AMENDMENT ADOPTED

May 22, 2014

**S. 718**

Introduced by Senator Alexander

S. Printed 5/22/14--S.

Read the first time May 22, 2013.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56‑7‑37 SO AS TO PROVIDE THAT A DRIVER OF A MOTOR VEHICLE MAY BE FOUND LIABLE OF A CIVIL PENALTY FOR VIOLATIONS REGARDING PASSING OR OVERTAKING A SCHOOL BUS IF THE VIOLATION IS CAPTURED ON A VIDEO RECORDING DEVICE MOUNTED ON THE SCHOOL BUS, TO PROVIDE PENALTIES, AND TO PROVIDE THE EVIDENTIARY PROCESS AND THE PROCESS BY WHICH A PERSON RECEIVES SERVICE OF PROCESS.

Amend Title To Conform

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

SECTION 1. Section 56‑5‑2770(D) of the 1976 Code is amended to read:

“(D)(1) A school bus must be equipped with red and amber visual signals meeting the requirements of State Department of Education Regulations and Specifications Pertaining to School Buses, which must be actuated by the driver whenever the bus is stopped or preparing to stop on the highway for the purpose of receiving or discharging school children. A driver must not actuate the special visual signals when the bus is in designated school bus loading or off‑loading areas if the bus is off the roadway entirely.

(2) A school bus may be equipped with a digital video recording device mounted on the school bus with a clear view of vehicles passing the bus on either side and showing the date and time the recording was made and an electronic symbol showing the activation of amber lights, flashing red lights, stop arms, and brakes. Digital video recording devices mounted on school buses must be procured in compliance with Chapter 11, Title 35 or a procurement code adopted by the political subdivision procuring the digital video recording device in compliance with Section 11‑35‑50.”

SECTION 2. Chapter 5, Title 56 of the 1976 Code is amended by adding:

“Section 56‑5‑2773. (A) A uniform traffic citation alleging the violation of Section 56‑5‑2770 may be issued based in whole or in part upon images obtained from a digital video recording device mounted on a school bus. A copy of the citation must be given directly to the alleged offender by the law enforcement officer issuing the citation.

(B) Digital images obtained from a digital video recording device mounted on a school bus pursuant to Section 56‑5‑2770(D) may be used as evidence at any hearing related to a violation of Section 56‑5‑2770 to corroborate testimony by the school bus driver or any other person who witnessed the offense.”

SECTION 3. Section 56‑7‑35(C) of the 1976 Code is amended to read:

“(C) The provisions of this section do not apply to:

(1) toll collection; or

(2) issuance of a uniform traffic citation alleging the violation of Section 56‑5‑2770.”

SECTION 4. Section 56‑7‑15 of the 1976 Code is amended by adding:

“(C) The issuance of a uniform traffic ticket alleging the violation of Section 56‑5‑2770 is not subject to the provisions of this section.”

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

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