**South Carolina General Assembly**

121st Session, 2015-2016

**A26, R49, S361**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Hayes, Cromer, Shealy, Scott and Alexander

Document Path: l:\council\bills\agm\18303ab15.docx

Companion/Similar bill(s): 3647

Introduced in the Senate on January 27, 2015

Introduced in the House on March 17, 2015

Passed by the General Assembly on May 27, 2015

Governor's Action: June 1, 2015, Signed

Summary: Automobile insurance

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 1/27/2015 Senate Introduced and read first time ([Senate Journal‑page 12](file:///h%3A%5CSJ%20Archive%5C2015%5C01-27-15.docx))

 1/27/2015 Senate Referred to Committee on **Banking and Insurance** ([Senate Journal‑page 12](file:///h%3A%5CSJ%20Archive%5C2015%5C01-27-15.docx))

 3/10/2015 Senate Committee report: Favorable **Banking and Insurance** ([Senate Journal‑page 20](file:///h%3A%5CSJ%20Archive%5C2015%5C03-10-15.docx))

 3/12/2015 Senate Read second time ([Senate Journal‑page 11](file:///h%3A%5CSJ%20Archive%5C2015%5C03-12-15.docx))

 3/12/2015 Senate Roll call Ayes‑43 Nays‑0 ([Senate Journal‑page 11](file:///h%3A%5CSJ%20Archive%5C2015%5C03-12-15.docx))

 3/17/2015 Senate Read third time and sent to House ([Senate Journal‑page 19](file:///h%3A%5CSJ%20Archive%5C2015%5C03-17-15.docx))

 3/17/2015 House Introduced and read first time ([House Journal‑page 34](file:///h%3A%5CHJ%20Archive%5C2015%5C03-17-15.docx))

 3/17/2015 House Referred to Committee on **Education and Public Works** ([House Journal‑page 34](file:///h%3A%5CHJ%20Archive%5C2015%5C03-17-15.docx))

 3/18/2015 House Recalled from Committee on **Education and Public Works** ([House Journal‑page 22](file:///h%3A%5CHJ%20Archive%5C2015%5C03-18-15.docx))

 3/18/2015 House Recommitted to Committee on **Labor, Commerce and Industry** ([House Journal‑page 22](file:///h%3A%5CHJ%20Archive%5C2015%5C03-18-15.docx))

 5/21/2015 House Recalled from Committee on **Labor, Commerce and Industry** ([House Journal‑page 23](file:///h%3A%5CHJ%20Archive%5C2015%5C05-21-15.docx))

 5/26/2015 House Read second time ([House Journal‑page 38](file:///h%3A%5CHJ%20Archive%5C2015%5C05-26-15.docx))

 5/26/2015 House Roll call Yeas‑100 Nays‑0 ([House Journal‑page 38](file:///h%3A%5CHJ%20Archive%5C2015%5C05-26-15.docx))

 5/27/2015 House Read third time and enrolled ([House Journal‑page 7](file:///h%3A%5CHJ%20Archive%5C2015%5C05-27-15.docx))

 5/28/2015 Ratified R 49

 6/1/2015 Signed By Governor

 6/4/2015 Effective date 06/01/15

 6/5/2015 Act No. 26

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=361&session=121&summary=B) at the website

**VERSIONS OF THIS BILL**

[1/27/2015](file:///p%3A%5Cpprever%5C2015-16%5C361_20150127.docx)

[3/10/2015](file:///p%3A%5Cpprever%5C2015-16%5C361_20150310.docx)

[5/21/2015](file:///p%3A%5Cpprever%5C2015-16%5C361_20150521.docx)

(A26, R49, S361)

**AN ACT TO AMEND SECTION 38‑73‑736, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO AUTOMOBILE INSURANCE RATE REDUCTIONS FOR NONYOUTHFUL OPERATORS, SO AS TO DELETE REFERENCES TO APPROVED DRIVER TRAINING REFRESHER COURSES AND TO REDUCE FROM SIX HOURS TO FOUR HOURS THE AMOUNT OF CLASSROOM TRAINING REQUIRED FOR APPROVED DRIVER TRAINING COURSES.**

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

**Refresher courses eliminated, required classroom hours reduced**

SECTION 1. Section 38‑73‑736 of the 1976 Code is amended to read:

 “Section 38‑73‑736. (A) As used in this section:

 (1) ‘Approved driver training course’ means a driver’s training course that:

 (a) is approved by the Department of Motor Vehicles or exempt pursuant to Chapter 23, Title 56;

 (b) is administered by a driver’s training school that is licensed or approved by the Department of Motor Vehicles or exempt pursuant to Chapter 23, Title 56;

 (c) is conducted by a person holding a valid driver’s instructor permit pursuant to Chapter 23, Title 56; and

 (d) includes a minimum of four hours of classroom instruction.

 (2) ‘Satisfactory evidence of course completion’ means a certificate signed by an official of the licensed driver’s training school or the Department of Motor Vehicles, which certifies that:

 (a) the person has successfully completed the course; and

 (b) the course is an approved driver training course and meets the requirements of Chapter 23, Title 56.

 (3) ‘Youthful operator’ means a person under the age of twenty‑five for which premium rates charged for liability coverages and collision coverage under a private passenger automobile insurance policy are determined by a youthful driver classification.

 (B) Premium rates charged for liability coverages and collision coverage under a private passenger automobile insurance policy are subject to an appropriate driver training course credit once satisfactory evidence of course completion is presented by an applicant for the credit that is the named insured or principal operator of the vehicle and is not a youthful operator. The amount of the credit may be determined by each individual insurer based upon factually or statistically supported data and is subject to prior approval or review by the director. The credit must be afforded for a minimum of thirty‑six months from the date the approved driver training course was completed. The insurer may require, as a condition of providing and maintaining the credit, that the applicant not be involved in an accident for which the applicant is at fault for a three‑year period after course completion. The credit must be afforded by each insurer in a nondiscriminatory manner to all applicants, other than those considered youthful operators.

 (C) Only the vehicle driven by an applicant that has completed successfully an approved driver training course qualifies for the insurance credit required by this section. Other vehicles under the private passenger automobile insurance policy do not qualify for the insurance credit required by this section unless the named insured or principal operator of the additional vehicle has successfully completed an approved driver training course.

 (D) The insurer must provide the driver training course credit upon receipt of satisfactory evidence of course completion. Nothing in this section may be construed so as to require the insurer to provide the credit for any period of time before the date of receipt of satisfactory evidence of course completion.

 (E) An applicant qualifying for the insurance credit required by this section only may claim the credit for successful completion of one approved driver training course during any private passenger automobile insurance policy period.

 (F) Only an approved driver training course taken on a voluntary basis qualifies for the insurance credit. A driver training course taken as a requirement of a driving offense including, but not limited to, ADSAP or driver training courses taken to reduce the number of traffic violation points against a driver’s license, do not qualify for the insurance credit provided in this section.

 (G) A schedule of rates, rate classification, or rating plan for private passenger automobile insurance must provide for an appropriate reduction in premium charges for an insured person who is not a youthful operator and who qualifies as provided in this section.”

**Time effective**

SECTION 2. This act takes effect upon approval by the Governor.

Ratified the 28th day of May, 2015.

Approved the 1st day of June, 2015.

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