**South Carolina General Assembly**

121st Session, 2015-2016

**H. 4039**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Gambrell and Sandifer

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Introduced in the House on April 22, 2015

Currently residing in the House Committee on **Labor, Commerce and Industry**

Summary: Municipalities or counties

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

4/22/2015 House Introduced and read first time ([House Journal‑page 18](file:///h:\HJ%20Archive\2015\04-22-15.docx))

4/22/2015 House Referred to Committee on **Labor, Commerce and Industry** ([House Journal‑page 18](file:///h:\HJ%20Archive\2015\04-22-15.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=4039&session=121&summary=B) at the website

**VERSIONS OF THIS BILL**

[4/22/2015](file:///p:\pprever\2015-16\4039_20150422.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 6‑1‑180 SO AS TO PROVIDE MUNICIPALITIES, COUNTIES, UNITS OR AGENCIES OF A MUNICIPALITY OR A COUNTY, AND SPECIAL PURPOSE DISTRICTS MAY NOT IMPOSE A FEE OR SEEK REIMBURSEMENT OF COSTS OR EXPENSES INCURRED BY IT FOR RESPONDING TO A MOTOR VEHICLE ACCIDENT IN THIS STATE; TO PROVIDE EXCEPTIONS FOR EMERGENCY MEDICAL SERVICES, AMBULANCE OR AIRLIFT SERVICES, HAZARDOUS MATERIALS RELEASE MITIGATION RESPONSES, TRAFFIC INCIDENT MANAGEMENT ACTIVITIES, FIRE SUPPRESSION ACTIVITIES, OR EXTRICATION ACTIVITIES; AND TO PROVIDE THAT A UNIT OF GOVERNMENT NEVERTHELESS MAY SEEK TO COLLECT FROM ANOTHER UNIT OF GOVERNMENT THE REASONABLE COSTS INCURRED FOR RESPONDING TO MOTOR VEHICLE ACCIDENTS OUTSIDE ITS JURISDICTION OF AUTHORITY, AND TO PROVIDE THESE COSTS MAY NOT BE CHARGED DIRECTLY OR INDIRECTLY TO AN INSURANCE COMPANY UNLESS EXPRESSLY COVERED UNDER THE TERMS OF THE POLICY.

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

SECTION 1. Article 1, Chapter 1, Title 6 of the 1976 Code is amended by adding:

“Section 6‑1‑180. (A) A municipality, county, unit or agency of it, or special purpose district may not impose a fee or seek reimbursement of its costs or expenses incurred as a result of responding to a motor vehicle accident in this State, except for:

(1) emergency medical services rendered by an ‘emergency medical responder or technician’ as defined by the Department of Health and Environmental Control;

(2) ambulance or airlift services;

(3) hazardous materials release mitigation response, and the services are billed lawfully to the responsible party as defined by United States Hazardous Materials Transportation Act of 1975, Title 49 of the United States Code; or

(4) traffic incident management, fire suppression, or extrication activities.

(B) Nothing contained in this section prohibits a unit of government from seeking to collect from another unit of government the reasonable costs incurred for responding to a motor vehicle accident outside its jurisdiction of authority. These costs may not be charged directly or indirectly to an insurance company unless expressly covered under the terms of the policy.”

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

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