**South Carolina General Assembly**

122nd Session, 2017-2018

**A2, R8, S198**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Shealy, Alexander, McElveen and Bryant

Document Path: l:\s-res\ks\002mino.kmm.ks.docx

Companion/Similar bill(s): 300, 3242, 3322, 3580

Introduced in the Senate on January 10, 2017

Introduced in the House on February 2, 2017

Last Amended on March 16, 2017

Passed by the General Assembly on March 22, 2017

Governor's Action: April 5, 2017, Signed

Summary: Beginner's permit, instruction permit, or driver's license for minors

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/13/2016 Senate Prefiled

12/13/2016 Senate Referred to Committee on **Transportation**

1/10/2017 Senate Introduced and read first time ([Senate Journal‑page 107](file:///h:\sj\20170110.docx))

1/10/2017 Senate Referred to Committee on **Transportation** ([Senate Journal‑page 107](file:///h:\sj\20170110.docx))

1/25/2017 Senate Committee report: Favorable with amendment **Transportation** ([Senate Journal‑page 13](file:///h:\sj\20170125.docx))

1/26/2017 Scrivener's error corrected

1/31/2017 Senate Committee Amendment Adopted ([Senate Journal‑page 30](file:///h:\sj\20170131.docx))

1/31/2017 Senate Read second time ([Senate Journal‑page 30](file:///h:\sj\20170131.docx))

1/31/2017 Senate Roll call Ayes‑43 Nays‑0 ([Senate Journal‑page 30](file:///h:\sj\20170131.docx))

2/1/2017 Scrivener's error corrected

2/1/2017 Senate Read third time and sent to House ([Senate Journal‑page 24](file:///h:\sj\20170201.docx))

2/2/2017 House Introduced and read first time ([House Journal‑page 19](file:///h:\hj\20170202.docx))

2/2/2017 House Referred to Committee on **Education and Public Works** ([House Journal‑page 19](file:///h:\hj\20170202.docx))

3/2/2017 House Committee report: Favorable with amendment **Education and Public Works** ([House Journal‑page 3](file:///h:\hj\20170302.docx))

3/7/2017 House Amended ([House Journal‑page 26](file:///h:\hj\20170307.docx))

3/8/2017 House Read second time ([House Journal‑page 11](file:///h:\hj\20170308.docx))

3/8/2017 House Roll call Yeas‑103 Nays‑1 ([House Journal‑page 11](file:///h:\hj\20170308.docx))

3/9/2017 Scrivener's error corrected ([Senate Journal‑page 11](file:///h:\sj\20170309.docx))

3/16/2017 Senate House amendment amended ([Senate Journal‑page 46](file:///h:\sj\20170316.docx))

3/16/2017 Senate Roll call Ayes‑40 Nays‑0 ([Senate Journal‑page 46](file:///h:\sj\20170316.docx))

3/16/2017 Senate Returned to House with amendments ([Senate Journal‑page 46](file:///h:\sj\20170316.docx))

3/17/2017 Scrivener's error corrected

3/22/2017 House Concurred in Senate amendment and enrolled ([House Journal‑page 58](file:///h:\hj\20170322.docx))

3/22/2017 House Roll call Yeas‑83 Nays‑0 ([House Journal‑page 59](file:///h:\hj\20170322.docx))

4/4/2017 Ratified R 8

4/5/2017 Signed By Governor

4/13/2017 Effective date 4/5/17

4/17/2017 Act No. 2

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**VERSIONS OF THIS BILL**

[12/13/2016](file:///p:\pprever\2017-18\198_20161213.docx)

[1/25/2017](file:///p:\pprever\2017-18\198_20170125.docx)

[1/26/2017](file:///p:\pprever\2017-18\198_20170126.docx)

[1/31/2017](file:///p:\pprever\2017-18\198_20170131.docx)

[2/1/2017](file:///p:\pprever\2017-18\198_20170201.docx)

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[3/17/2017](file:///p:\pprever\2017-18\198_20170317.docx)

(A2, R8, S198)

**AN ACT TO AMEND SECTION 56‑1‑100, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PERSONS WHO MUST SIGN AN APPLICATION OF A MINOR FOR A BEGINNER’S PERMIT, INSTRUCTION PERMIT, OR DRIVER’S LICENSE, SO AS TO DELETE THE TERM “INSTRUCTION PERMIT”, AND TO REVISE THE LIST OF PERSONS WHO MUST SIGN THE APPLICATION OF AN UNEMANCIPATED MINOR.**

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

**Beginner’s permits and driver’s licenses for minors**

SECTION 1. Section 56‑1‑100 of the 1976 Code is amended to read:

“Section 56‑1‑100. (A) The application of an unemancipated minor for a beginner’s permit or driver’s license must be signed in the presence of a South Carolina Department of Motor Vehicles employee at the time of application by:

(1) the father of the minor;

(2) the mother of the minor;

(3) the guardian of the minor;

(4) an individual who has custody, care, and control of the minor;

(5) any person set forth in subsection (C)(3) below with written approval by the Department of Social Services;

(6) any person who has been standing in loco parentis of a minor for a continuous period of not less than sixty days; or

(7) any responsible adult who is willing to assume the obligation imposed under this article and who has written permission, from a person listed in items (1) ‑ (7) above, signed and verified before a person authorized to administer oaths.

(B) The application of an emancipated minor for a beginner’s permit or driver’s license must be signed in the presence of a South Carolina Department of Motor Vehicles employee at the time of application by a responsible adult who is willing to assume the obligation imposed under this article.

(C) If the Department of Social Services has guardianship or legal custody of a minor, the application may be signed by:

(1) the father of the minor;

(2) the mother of the minor; or

(3) the foster parent, preadoptive parent, or person responsible for the welfare of the child who resides in a childcare facility or residential group care home, upon written approval by the Department of Social Services. The disclosure of information by the Department of Social Services to the Department of Motor Vehicles in order to provide approval for the limited purpose of this code section shall not be a violation of Section 63‑7‑1990 or any other section of the Children’s Code governing the dissemination of confidential information. The foster parent, preadoptive parent, or person responsible for the welfare of a child who resides in a childcare facility or residential group care home must obtain approval from the Department of Social Services prior to the request for an extension of a permit pursuant to Section 56‑1‑50.

(D) Except as set forth in subsection (C)(3) above, upon the extension of a permit pursuant to Section 56‑1‑50, authorization by the person who originally signed the application, under subsections (A), (B), or (C) above, is not required.”

**Time effective**

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

Ratified the 4th day of April, 2017.

Approved the 5th day of April, 2017.

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