**South Carolina General Assembly**

122nd Session, 2017-2018

**A6, R13, H3358**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Willis, Allison, Collins, Knight, West, Felder and Williams

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Introduced in the House on January 10, 2017

Introduced in the Senate on March 7, 2017

Last Amended on March 22, 2017

Passed by the General Assembly on March 29, 2017

Governor's Action: April 5, 2017, Signed

Summary: Id cards

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 12/15/2016 House Prefiled

 12/15/2016 House Referred to Committee on **Education and Public Works**

 1/10/2017 House Introduced and read first time ([House Journal‑page 174](file:///h%3A%5Chj%5C20170110.docx))

 1/10/2017 House Referred to Committee on **Education and Public Works** ([House Journal‑page 174](file:///h%3A%5Chj%5C20170110.docx))

 1/12/2017 House Member(s) request name added as sponsor: Felder

 1/20/2017 Scrivener's error corrected

 2/9/2017 House Committee report: Favorable **Education and Public Works** ([House Journal‑page 2](file:///h%3A%5Chj%5C20170209.docx))

 2/13/2017 Scrivener's error corrected

 2/14/2017 House Member(s) request name added as sponsor: Williams

 2/14/2017 House Debate adjourned until Wed., 2‑15‑17 ([House Journal‑page 19](file:///h%3A%5Chj%5C20170214.docx))

 2/16/2017 House Requests for debate‑Rep(s). Willis, Hiott, Clary, Kirby, Anderson, Crosby, Danning, Bennett, Long, Magnuson, Martin, Sandifer, Whitmire, GR Smith, JE Smith, Clemmons, Weeks, Bradley, Hill, Jefferson ([House Journal‑page 29](file:///h%3A%5Chj%5C20170216.docx))

 2/23/2017 House Debate adjourned until Tues., 2‑28‑17 ([House Journal‑page 16](file:///h%3A%5Chj%5C20170223.docx))

 2/28/2017 House Debate adjourned until Wed., 3‑1‑17 ([House Journal‑page 14](file:///h%3A%5Chj%5C20170228.docx))

 3/2/2017 House Amended ([House Journal‑page 28](file:///h%3A%5Chj%5C20170302.docx))

 3/2/2017 House Read second time ([House Journal‑page 28](file:///h%3A%5Chj%5C20170302.docx))

 3/2/2017 House Roll call Yeas‑100 Nays‑3 ([House Journal‑page 30](file:///h%3A%5Chj%5C20170302.docx))

 3/3/2017 Scrivener's error corrected

 3/7/2017 House Read third time and sent to Senate ([House Journal‑page 29](file:///h%3A%5Chj%5C20170307.docx))

 3/7/2017 Senate Introduced and read first time ([Senate Journal‑page 8](file:///h%3A%5Csj%5C20170307.docx))

 3/7/2017 Senate Referred to Committee on **Transportation** ([Senate Journal‑page 8](file:///h%3A%5Csj%5C20170307.docx))

 3/15/2017 Senate Committee report: Favorable **Transportation** ([Senate Journal‑page 9](file:///h%3A%5Csj%5C20170315.docx))

 3/22/2017 Senate Amended ([Senate Journal‑page 37](file:///h%3A%5Csj%5C20170322.docx))

 3/22/2017 Senate Read second time ([Senate Journal‑page 37](file:///h%3A%5Csj%5C20170322.docx))

 3/22/2017 Senate Roll call Ayes‑40 Nays‑0 ([Senate Journal‑page 37](file:///h%3A%5Csj%5C20170322.docx))

 3/23/2017 Senate Read third time and returned to House with amendments ([Senate Journal‑page 17](file:///h%3A%5Csj%5C20170323.docx))

 3/29/2017 House Concurred in Senate amendment and enrolled ([House Journal‑page 74](file:///h%3A%5Chj%5C20170329.docx))

 3/29/2017 House Roll call Yeas‑100 Nays‑3 ([House Journal‑page 75](file:///h%3A%5Chj%5C20170329.docx))

 4/4/2017 Ratified R 13

 4/5/2017 Signed By Governor

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

 4/17/2017 Act No. 6

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=3358&session=122&summary=B) at the website

**VERSIONS OF THIS BILL**

[12/15/2016](file:///p%3A%5Cpprever%5C2017-18%5C3358_20161215.docx)

[1/20/2017](file:///p%3A%5Cpprever%5C2017-18%5C3358_20170120.docx)

[2/9/2017](file:///p%3A%5Cpprever%5C2017-18%5C3358_20170209.docx)

[2/13/2017](file:///p%3A%5Cpprever%5C2017-18%5C3358_20170213.docx)

[3/2/2017](file:///p%3A%5Cpprever%5C2017-18%5C3358_20170302.docx)

[3/3/2017](file:///p%3A%5Cpprever%5C2017-18%5C3358_20170303.docx)

[3/15/2017](file:///p%3A%5Cpprever%5C2017-18%5C3358_20170315.docx)

[3/22/2017](file:///p%3A%5Cpprever%5C2017-18%5C3358_20170322.docx)

(A6, R13, H3358)

**AN ACT** **TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56‑1‑87 SO AS TO PROVIDE THAT A PERSON MAY HOLD ONLY ONE DEPARTMENT OF MOTOR VEHICLES‑ISSUED CREDENTIAL AT A TIME, TO PROVIDE THAT A REAL ID CARD MAY BE A DRIVER’S LICENSE OR IDENTIFICATION CARD, AND TO PROVIDE THAT THE DEPARTMENT MAY ISSUE A COMPLIANT OR NONCOMPLIANT CREDENTIAL TO A PERSON WHO PRESENTS CERTAIN DOCUMENTS TO THE DEPARTMENT; TO AMEND SECTION 56‑1‑85, RELATING TO THE STATE’S NONPARTICIPATION IN THE FEDERAL REAL ID ACT, SO AS TO PROVIDE THAT THE STATE SHALL MEET ALL THE REQUIREMENTS OF THE FEDERAL REAL ID ACT, AND TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES SHALL NOT PROVIDE DIRECT ACCESS TO ITS FULL DRIVER’S LICENSE DATABASE TO ANY OTHER JURISDICTION; TO AMEND SECTION 56‑1‑90, RELATING TO IDENTIFICATION NECESSARY TO OBTAIN A DRIVER’S LICENSE, SO AS TO REVISE THE CRITERIA THAT MUST BE MET TO PROVE THE EXISTENCE AND VALIDITY OF A PERSON’S SOCIAL SECURITY NUMBER; TO AMEND SECTION 56‑1‑140, AS AMENDED, RELATING TO THE ISSUANCE OF A DRIVER’S LICENSE, SO AS TO REVISE THE COST AND FREQUENCY OF THE RENEWAL PERIOD FOR A DRIVER’S LICENSE, TO REVISE THE CONTENT OF A DRIVER’S LICENSE, AND TO ELIMINATE THE FEE ASSOCIATED WITH THE PLACEMENT OF A VETERAN DESIGNATION ON A DRIVER’S LICENSE; TO AMEND SECTION 56‑1‑210, RELATING TO THE EXPIRATION OF A DRIVER’S LICENSE, SO AS TO REVISE THE EXPIRATION DATE OF A LICENSE ISSUED AFTER OCTOBER 1, 2017, AND TO REVISE THE CRITERIA THAT MUST BE MET BY A PERSON WHO SEEKS TO HAVE HIS LICENSE RENEWED; TO AMEND SECTION 56‑1‑220, AS AMENDED, RELATING TO VISION SCREENINGS REQUIRED FOR RENEWAL OF A DRIVER’S LICENSE, SO AS TO REVISE THE CRITERIA THAT MUST BE MET BY A PERSON WHO SEEKS TO RENEW HIS DRIVER’S LICENSE; AND TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES IS AUTHORIZED TO EXPEND A CERTAIN AMOUNT IN THE CURRENT FISCAL YEAR FROM ITS CASH BALANCES TO IMPLEMENT THE PROVISIONS OF THIS ACT.**

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

**REAL ID card issuance**

SECTION 1. Article 1, Chapter 1, Title 56 of the 1976 Code is amended by adding:

 “Section 56‑1‑87. (A) A person may hold only one Department of Motor Vehicles‑issued credential at a time. A REAL ID card may be a driver’s license or identification card, but not both.

 (B) The department may issue a compliant or noncompliant card. The department may issue a REAL ID compliant credential only to a person who:

 (1) presents all supporting documents required for a compliant credential; or

 (2) has previously presented proper supporting documents and the department has retained copies of those documents.

 (C) The department shall issue a noncompliant credential to a person who opts not to have a REAL ID card, and meets the other requirements necessary to obtain a noncompliant credential.”

**REAL ID Act**

SECTION 2. Section 56‑1‑85 of the 1976 Code, as added by Act 70 of 2007, is amended to read:

 “Section 56‑1‑85. It is hereby declared to be the policy of this State:

 (1) The State is committed to the continuing effort of enhancing the security, authentication, and issuance procedure standards of its drivers’ licenses and identification cards and of meeting all requirements of the Federal REAL ID Act of 2005 (P.L. 109‑13) and accompanying regulations.

 (2) The department shall enable qualifying citizens to obtain state drivers’ licenses and identification cards that are in compliance with the REAL ID Act.

 (3) The department shall not provide direct access to the department’s full driver’s license database to any other jurisdiction.”

**Social Security number identification**

SECTION 3. Section 56‑1‑90 of the 1976 Code is amended to read:

 “Section 56‑1‑90. The Department of Motor Vehicles may require every applicant to submit for identification purposes proof of name, Social Security number, and date and place of birth when applying for a driver’s license. An applicant for a driver’s license, driver’s permit, or special identification card or a renewal thereof may sufficiently prove the existence and validity of his Social Security number, for purposes of Section 14‑7‑130, by any document considered reliable by the Department of Motor Vehicles. Such a document includes, but is not limited to, an official Social Security card, Social Security check, Social Security form SSA‑1099, letter from the Social Security Administration, voter registration card, payroll stub, or Federal W‑2 form. The numbers also may be obtained from the Department of Revenue pursuant to Section 12‑54‑240(B)(7), which permits the Department of Revenue to submit taxpayer Social Security numbers to the Department of Motor Vehicles and to the State Election Commission.

 This section does not prevent issuance of a driver’s license or identification card to a foreign exchange student participating in a valid foreign exchange program.”

**Driver’s license issuance**

SECTION 4. Section 56‑1‑140 of the 1976 Code, as last amended by Act 275 of 2016, is further amended to read:

 “Section 56‑1‑140. (A) Upon payment of a fee of twenty‑five dollars for a license that is valid for eight years, the department shall issue to every qualified applicant a driver’s license as applied for by law. The license must bear on it a distinguishing number assigned to the licensee, the full name, date of birth, residence address, a brief description and laminated colored photograph of the licensee, any marking otherwise required or in compliance with law, and a facsimile of the signature of the licensee. No license is valid until it has been so signed by the licensee. The license authorizes the licensee to operate only those classifications of vehicles as indicated on the license.

 (B) An applicant for a new, renewed, or replacement driver’s license may apply to the department to obtain a veteran designation on the front of his driver’s license by providing a United States Department of Defense discharge certificate, also known as a DD Form 214, Form 4, that shows a characterization of service, or discharge status of ‘honorable’ or ‘general under honorable conditions’ and establishes the person’s qualifying military service in the United States Armed Forces.

 The department may determine the appropriate form of the veteran designation on the driver’s license authorized pursuant to this section.

 (C) The fees collected pursuant to this section must be credited to the Department of Transportation State Non‑Federal Aid Highway Fund.”

**Driver’s license renewal**

SECTION 5. Section 56‑1‑210 of the 1976 Code is amended to read:

 “Section 56‑1‑210. (A) A license issued or renewed on or after October 1, 2017, expires on the licensee’s birth date on the eighth calendar year in which it is issued.

 (B) A license is renewable on or before its expiration date upon application and the payment of the required fee.

 (C) The department may renew a driver’s license of a resident by mail or electronically upon payment of the required fee, if the renewal is a digitized license.

 (D) For cause shown, the department may require the submission by the applicant of evidence satisfactory to the department of the applicant’s mental and physical fitness to drive and his knowledge of traffic laws and regulations. If the evidence is not satisfactory to the department, the department may require an examination of the applicant as upon an original application. Parallel parking is not required as a part of the driver’s test.

 (E) If a person’s license expires and he is unable to renew it before its expiration date because he is on active military duty outside this State for a continuous period of at least thirty days immediately before the expiration date or because he is the spouse or dependent living for a continuous period of at least thirty days immediately before the expiration date with a person on active military duty outside this State, within sixty days after returning to this State, the person may renew his license in the manner permitted by this section as though the license had not expired. The department may require proof from the person that he qualifies for renewal of his license under this paragraph. Upon request, the person shall provide the department with a copy of his military service record, a document of his branch of military service showing the date of active military duty outside the State, or other evidence presented by the person showing the dates of service.”

**Vision screening**

SECTION 6. Section 56‑1‑220 of the 1976 Code, as last amended by Act 275 of 2016, is further amended to read:

 “Section 56‑1‑220. (A) The department shall require vision screening for all persons obtaining an initial license. The vision screening may be waived upon the submission of a certificate of vision examination dated within the previous twelve months from an ophthalmologist or optometrist licensed in any state.

 (B) The renewal license forms distributed by the department must be designed to contain a certification that the vision of the person screened meets the minimum standards required by the department or have been corrected to meet these requirements if a screening is required. The certification must be executed by the person conducting the screening. The minimum standards of the department shall not require a greater degree of vision than 20/40 corrected in one eye. Persons using bioptic lenses must adhere to the provisions contained in Section 56‑1‑222.

 (C) A person whose vision is corrected to meet the minimum standards shall have the correction noted on his driver’s license by the department.

 (D) It is unlawful for a person whose vision requires correction in order to meet the minimum standards of the department to drive a motor vehicle in this State without the use of the correction.

 (E) Unless otherwise provided in this section, any person violating the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than one hundred dollars or imprisoned for not more than thirty days.”

**Department of Motor Vehicles REAL ID expenditure**

SECTION 7. The Department of Motor Vehicles is authorized to expend $1.7 million in the current fiscal year (2016‑2017) from its existing cash balances to begin implementing the provisions of this act once it becomes effective.

**Time effective**

SECTION 8. 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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