**South Carolina General Assembly**

123rd Session, 2019-2020

**H. 3173**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Elliott, Tallon, G.R. Smith, Taylor, Cogswell, Dillard, Norrell and Felder

Document Path: l:\council\bills\gt\5531cm19.docx

Introduced in the House on January 8, 2019

Currently residing in the House Committee on **Education and Public Works**

Summary: Yielding to a vulnerable road user

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/18/2018 House Prefiled

12/18/2018 House Referred to Committee on **Education and Public Works**

1/8/2019 House Introduced and read first time ([House Journal‑page 116](file:///h:\hj\20190108.docx))

1/8/2019 House Referred to Committee on **Education and Public Works** ([House Journal‑page 116](file:///h:\hj\20190108.docx))

1/15/2019 House Member(s) request name added as sponsor: Felder

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=3173&session=123&summary=B) at the website

**VERSIONS OF THIS BILL**

[12/18/2018](file:///p:\pprever\2019-20\3173_20181218.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56‑5‑3825 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A MOTOR VEHICLE DRIVER TO FAIL TO YIELD TO A VULNERABLE ROAD USER UNDER CERTAIN CIRCUMSTANCES AND PROVIDE A PENALTY, TO DEFINE THE TERM “VULNERABLE ROAD USER”, AND TO PROVIDE THAT NOTHING IN THIS SECTION SHALL PREVENT A PERSON FROM BEING CHARGED WITH ANOTHER OFFENSE.

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

SECTION 1. Article 31, Chapter 5, Title 56 of the 1976 Code is amended by adding:

“Section 56‑5‑3825. (A) If a motor vehicle driver fails to yield to a vulnerable road user who has the right of way as defined in Section 56‑5‑580, the driver shall be required to complete successfully the National Safety Council’s Defensive Driving Course or its equivalent within six months after the conviction. The course must be taught by an instructor accredited by the National Safety Council pursuant to the procedures for accreditation set forth in the ‘Manual of Rules and Procedures’ published by the National Safety Council, or an equivalent accreditation procedure.

(B) The term ‘vulnerable road user’ means a pedestrian, a person propelling a human‑powered vehicle, a bicycle, a wheelchair, an electric personal assistive mobility device, or another assistive device.

(C) Nothing in this section shall be construed to prevent the application of any other finding of a violation of any other provision of the law, including a conviction of a felony offense.”

SECTION 2. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 3. This act takes effect upon approval by the Governor.

‑‑‑‑XX‑‑‑‑