AMENDED

May 7, 2019

**H. 3357**

Introduced by Reps. Wooten, Collins, Brawley, Huggins, Taylor, Hixon and Gilliard

S. Printed 5/7/19--S. [SEC 5/8/19 8:42 AM]

Read the first time March 20, 2019.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56‑3‑115 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ADD A NOTATION TO A PRIVATE PASSENGER‑CARRYING MOTOR VEHICLE REGISTRATION TO INDICATE THE VEHICLE OWNER MAY BE DEAF OR HARD OF HEARING.

Amend Title To Conform

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

SECTION 1. Article 3, Title 56 of the 1976 Code is amended by adding:

“Section 56‑3‑115. The Department of Motor Vehicles may add a notation to a private passenger‑carrying motor vehicle registration to indicate that the driver may be deaf or hard of hearing. The application for this special motor vehicle registration notation must include an original certificate from a licensed physician, as defined in Section 40‑47‑5, or licensed audiologist, as defined in Section 40-67-220, that certifies that the applicant has a permanent, uncorrectable hearing loss of forty decibels or more in one or both ears. The ‘deaf or hard of hearing’ notation would only appear when a law enforcement check is run on the vehicle’s license plate through the department’s online interface with law enforcement to alert the officer that the driver may be deaf or hard of hearing.”

SECTION 2. Section 1-3-210 of the 1976 Code is amended to read:

“Section 1-3-210. (A)(1) ~~During the recess of the Senate, vacancy which occurs in an~~ If an office filled by an appointment of the Governor with the advice and consent of the Senate becomes vacant during the interim period between regular legislative sessions, then the office may be filled by an interim appointment of the Governor only if the Governor acts to fill the office during the same interim period during which the office became vacant. The Governor must report the interim appointment to the Senate and must forward a formal appointment at its next ensuing regular session. If the Senate votes to reject an interim appointee’s formal appointment during the next ensuing regular session then the office is immediately vacant and may not be filled by another interim appointment.

(2) If the Senate does not advise and consent ~~thereto~~ to the formal appointment prior to ~~sine die adjournment~~ the second Thursday in May following the interim period during which the interim appointment was made ~~of the next ensuing regular session~~, the office shall be vacant and the interim appointment shall not serve in hold over status notwithstanding any other provision of law to the contrary. The Governor may not make a subsequent interim appointment for the same vacancy. ~~A subsequent interim appointment of a different person to a vacancy created by a failure of the Senate to grant confirmation to the original interim appointment shall expire on the second Tuesday in January following the date of such subsequent interim appointment and the office shall be vacant.~~

(B) The Governor’s authority to make an interim appointment pursuant to subsection (A) terminates when the General Assembly convenes the regular legislative session following the interim period between regular legislative sessions during which the office became vacant.”

SECTION 3. Article 5, Chapter 3 of Title 1 of the 1976 Code is amended by adding:

“Section 1-3-211. (A) If a vacancy exists in the head of an agency that requires appointment by the Governor with the advice and consent of the Senate, the Governor may designate an employee of the agency as the acting head of the agency if the person designated was employed by the agency for at least twelve consecutive months prior to the date upon which the vacancy occurred. A person designated as an acting agency head pursuant to this subsection may serve as the acting agency head no longer than the second Thursday in May following date upon which the vacancy occurred.

(B)(1) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may not be designated by the Governor as the acting head of the agency to which the person was nominated.

(2) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who also had been previously designated as the acting head of the agency who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may no longer exercise any authority or duties of that agency.”

SECTION 4. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“ARTICLE 147

‘Drivers For a Cure’ Special License Plates

Section 56‑3‑14710. (A) The Department of Motor Vehicles may issue ‘Drivers For a Cure’ special license plates to owners of private passenger carrying motor vehicles, as defined in Section 56‑3‑630, and motorcycles, as defined in Section 56‑3‑20, registered in their names. Each special license plate must be issued or revalidated for a biennial period that expires twenty‑four months from the month the special license plate is issued.

(B) This special license plate must be the same size and general design of regular motor vehicle license plates.

(C) The requirements for production, collection, and distribution of fees for the plate are those set forth in Section 56‑3‑8100. The biennial fee for each special license plate is thirty dollars plus the regular motor vehicle license fee set forth in Article 5, Chapter 3, Title 56. Any portion of the thirty‑dollar fee in excess of the costs of production and distribution of the license plates must be distributed to the Duke Cancer Institute.”

SECTION 5. This act takes effect one year after approval by the Governor.

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