

South Carolina General Assembly
125th Session, 2023-2024

Bill 363

~~Indicates Matter Stricken~~

Indicates New Matter

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Indicates New Matter

AMENDED

May 3, 2023

S. 363

Introduced by Senators Rankin, Grooms and Verdin

S. Printed 05/03/23--H.

Read the first time February 16, 2023

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A BILL

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-5-4445, RELATING TO THE RESTRICTION OF ELEVATING OR LOWERING A MOTOR VEHICLE; SO AS TO PROHIBIT MOTOR VEHICLE MODIFICATIONS THAT RESULT IN THE MOTOR VEHICLE'S FRONT FENDER BEING RAISED FOUR OR MORE INCHES ABOVE THE HEIGHT OF THE REAR FENDER, TO PROVIDE FOR THE MANNER OF MEASURING THE HEIGHT OF THE FRONT FENDER IN RELATION TO THE REAR FENDER, AND TO PROVIDE PENALTIES FOR VIOLATIONS.

Amend Title To Conform

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

SECTION 1. Section 56-5-4445 of the S.C. Code is amended to read:

Section 56-5-4445. (A) It shall be unlawful for any person to drive a passenger motor vehicle on the highways of this State which has been elevated or lowered ~~either in front or back, yet still leveled~~, more than six inches by a modification, alteration, or change in the physical structure of the vehicle. Any person violating the provisions of this section ~~shall be deemed~~ is guilty of a misdemeanor and, upon conviction, shall be fined not less than twenty-five dollars nor more than fifty dollars. Provided, however, the provisions in this subsection shall not apply to motor vehicles commonly ~~called~~ referred to as "pickup trucks".

(B)(1) It shall be unlawful for any person to drive a passenger motor vehicle, including vehicles commonly referred to as pickup trucks, on the highways of this State if, by alteration of the

suspension, frame, or chassis, the height of the front fender is raised or lowered four or more inches greater than the height of the rear fender. For purposes of this subsection, the height of the fender shall be a vertical measurement from and perpendicular to the ground, through the centerline of the wheel, and to the bottom of the fender. As contained in this item, "fender" means the pressed and formed part mounted over the road wheels of a motor vehicle to reduce the splashing of mud, water, or similar substances.

(2) A person who violates the provisions of this subsection is guilty of a misdemeanor and, upon conviction:

(a) for a first offense, shall be fined one hundred dollars;

(b) for a second offense, shall be fined two hundred dollars; and

(c) for a third or subsequent offense, shall be fined three hundred dollars and have his license suspended by the Department of Motor Vehicles for twelve months from the date of conviction.

(3) Only offenses which occur within five years of each other, including and immediately preceding the date of the last offense, shall constitute a prior offense within the meaning of this subsection.

SECTION 2. This act takes effect one hundred eighty days after approval by the Governor. For a period of one hundred eighty days after the effective date of this act, only warning tickets may be issued for a violation of the provisions of this act.

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