

TITLE 56.
MOTOR VEHICLES

CHAPTER 7
Traffic Tickets

SECTION 56-7-10. Use of uniform traffic ticket; vesting of jurisdiction; forms; utilization of electronic devices.

(A) There will be a uniform traffic ticket used by all law enforcement officers in arrests for traffic offenses and for the following additional offenses:

Offense	Citation	
Interfering with Police Officer Serving Process	Section 16-5-50	
Dumping Trash on Highway/Private Property	Section 16-11-700	
Indecent Exposure	Section 16-15-130	
Disorderly Conduct	Section 16-17-530	
Damaging Highway	Section 57-7-10	
Place Glass, Nails, Etc. on Highway	Section 57-7-20	
Obstruction of Highway by Railroad Cars, Etc.	Section 57-7-240	
Signs Permitted on Interstate	Section 57-25-140	
Brown Bagging	Section 61-5-20	
Drinking Liquors in Public Conveyance	Section 61-13-360	
Poles Dragging on Highway	Section 57-7-80	
Open Container	Section 61-9-87	
Purchase or Possession of Beer or Wine by a Person Under Age	Section 63-19-2440	
Purchase or Possession of Alcoholic Liquor by a Person Under Age Twenty-One	Section 63-19-2450	
Unlawful Possession and Consumption of Alcoholic Liquors	Section 61-5-30	
Sale of Beer or Wine on Which Tax Has Not Been Paid	Section 61-9-20	
Falsification of Age to Purchase Beer or Wine	Section 61-9-50	
Unlawful Purchase of Beer or Wine for a Person Who Cannot Legally Buy	Section 61-9-60	
Unlawful Sale or Purchase of Beer or Wine, Giving False Information as to Age, Buying Beer or Wine Unlawfully for Another	Section 61-9-85	
Employment of a Person Under the Age of Twenty-One as an Employee in Retail or Wholesale or Manufacturing Liquor	Section 61-13-340	

Business		
Failure to Remove Doors from Abandoned Refrigerators	Section 16-3-1010	
Malicious Injury to Animals or Personal Property	Section 16-11-510	
Timber, Logs, or Lumber Cutting, Removing, Transporting Without Permission, Valued at Less Than Fifty Dollars	Section 16-11-580	
Littering	Section 16-11-700	
Larceny of a Bicycle Valued at Less Than One Hundred Dollars	Section 16-13-80	
Shoplifting	Section 16-13-110	
Cock Fighting	Section 16-17-650	
Ticket Scalping	Section 16-17-710	
Domestic Violence, second and third degree	Section 16-25-20	
Glue Sniffing	Section 44-53-1110	
Trespassing	Section 16-11-755	
Trespassing	Section 16-11-600	
Trespassing	Section 16-11-610	
Trespassing	Section 16-11-620	
Negligent Operation of Watercraft; Operation of Watercraft While Under Influence of Alcohol or Drugs	Section 50-21-110	
Negligence of Boat Livery to Provide Proper Equipment and Registration	Section 50-21-120	
Interference with Aids to Navigation or Regulatory Markers or Operation of Watercraft in Prohibited Area	Section 50-21-170	
Operation of Watercraft Without a Certificate of Title	Section 50-23-190	
Parking on private property without permission	Section 16-11-760	
Certificate of Veterinary Inspection; Requirement for Out-of-State Livestock or Poultry	Section 47-4-60	
Inhibition of Livestock Inspection	Section 47-4-120	
Imported Swine	Section 47-6-50	

Operating Equine Sales Facility or Livestock Market Without Permit	Section 47-11-20	
Liability of Person Removing Livestock for Slaughter	Section 47-11-120	
Notice to Disinfect	Section 47-13-310	
Quarantine of Livestock or Poultry	Section 47-4-70	
Unlawful for Horse to Enter State Unless Tested	Section 47-13-1350	
Quarantine of Exposed Horses	Section 47-13-1360	
Proof of Test Required for Public Assembly of Horses	Section 47-13-1370	
False Certificates	Section 47-13-1390	
Unlawful to Feed Garbage to Swine	Section 47-15-20	
Notification Required from Certain Persons Disposing of Garbage	Section 47-15-40	
Sale of Uninspected Meat and Meat Products	Section 47-17-60	
Sale of Uninspected Poultry and Poultry Product	Section 47-19-70	

(B) In addition to the offenses contained in subsection (A), a uniform traffic ticket may be used in an arrest for a misdemeanor offense within the jurisdiction of magistrates court that has been freshly committed or is committed in the presence of a law enforcement officer.

(C) No other ticket may be used for these offenses. The service of the uniform traffic ticket shall vest all traffic, recorders', and magistrates' courts with jurisdiction to hear and to dispose of the charge for which the ticket was issued and served. This ticket will be designed by the department and approved by the Attorney General within thirty days of submission by the department. A law enforcement agency may utilize computers and other electronic devices to issue uniform traffic citations and store information resulting from the issuance of a traffic citation if this method of issuing a citation has been approved by the Department of Public Safety.

HISTORY: 1962 Code Section 46-871; 1967 (55) 203; 1971 (57) 474; 1980 Act No. 353, Section 1; 1984 Act No. 467; 1985 Act No. 158, Section 1; 1987 Act No. 185 Section 2; 1993 Act No. 181, Section 1468; 1996 Act No; 459, Section 214; 2003 Act No. 54, Section 2; 2005 Act No. 68, Section 1, eff May 23, 2005; 2013 Act No. 78, Section 1, eff June 13, 2013; 2015 Act No. 58 (S.3), Pt II, Section 8, eff June 4, 2015.

SECTION 56-7-12. Verification of insurance coverage upon issuance of traffic ticket; form; penalty.

(A) When the operator or owner of an individual private passenger automobile as defined in Section 38-77-30(5.5) is issued a traffic ticket for a moving violation by a law enforcement officer, he may be furnished a written request form to be completed by him and his insurance company or the agent issuing the policy to verify liability insurance coverage. The form must be prescribed by the Department of Motor Vehicles and the Department of Public Safety.

(B) The completed and verified form must be returned by the operator or owner to the local law enforcement agency issuing the traffic ticket within fifteen days from the date he receives it. Failure to return the form verified in the proper manner is prima facie evidence that the vehicle was uninsured.

(C) The director or his designee of the department shall waive the reinstatement fee or per diem fine, or both, imposed upon the owner or operator of the motor vehicle pursuant to this section for his failure to complete and return the insurance verification form if he has liability insurance coverage when determined to be uninsured by the department. The Department of Motor Vehicles shall document its reasons for waiving the fees or fines in the records of the department.

(D) No person knowingly may furnish or aid another in the submission of false or misleading information in the completed and verified form. A person who knowingly furnishes or aids another in submitting false or misleading information regarding the verification of liability insurance is subject to the penalties in Section 56-10-260.

(E) This section applies only to owners and operators of motor vehicles registered under the laws of South Carolina.

(F) Motor vehicles determined to be uninsured under this section are subject to Sections 56-10-240 and 56-10-245.

(G) The operator of the motor vehicle shall present the written request form for verification of liability insurance coverage to the owner of the vehicle. Failure by the operator to give the form to the owner is prima facie evidence that the operator knowingly furnished false and misleading information to the department.

However, the form must have the following sentence on its face in bold type, all capitals, and large print: "THE OWNER OR OPERATOR OF A MOTOR VEHICLE WHO IS ISSUED THIS FORM SHALL COMPLETE AND RETURN THE FORM TO THE ISSUING AGENCY WITHIN FIFTEEN DAYS OR IS SUBJECT TO A TWO HUNDRED DOLLAR REINSTATEMENT FEE AND FIVE DOLLAR A DAY FINE PURSUANT TO SOUTH CAROLINA LAW. IF YOU ARE NOT THE OWNER OF THE MOTOR VEHICLE, YOU SHALL PRESENT THIS FORM TO THE OWNER OR YOU ARE SUBJECT TO FINE AND IMPRISONMENT." The officer shall read aloud this sentence to the owner or operator of the motor vehicle upon furnishing the written request form to verify liability insurance coverage.

HISTORY: 1993 Act No. 113, Section 2; 1996 Act No. 459, Section 215.

SECTION 56-7-15. Use of uniform traffic ticket for offense committed in officer's presence; domestic violence arrests and incident report.

(A) The uniform traffic ticket, established pursuant to the provisions of Section 56-7-10, may be used by law enforcement officers to arrest a person for an offense that has been freshly committed or is committed in the presence of a law enforcement officer if the punishment is within the jurisdiction of magistrates court and municipal court. A law enforcement agency

processing an arrest made pursuant to this section must furnish the information to the State Law Enforcement Division as required in Chapter 3, Title 23.

(B) An officer who effects an arrest, by use of a uniform traffic ticket, for a violation of Chapter 25, Title 16 or Section 16-13-110 shall complete and file an incident report immediately following the issuance of the uniform traffic ticket.

(C) The issuance of a uniform traffic ticket alleging the violation of Section 56-5-2770 is not subject to the provisions of this section.

HISTORY: 1990 Act No. 601, Section 1; 2003 Act No. 92, Section 5; 2005 Act No. 166, Section 15, eff January 1, 2006; 2013 Act No. 78, Section 2, eff June 13, 2013; 2014 Act No. 274 (H.5014), Section 5, eff June 9, 2014.

SECTION 56-7-20. Unique identifying numbers on tickets; colors and number of copies; electronic tickets.

Each ticket shall have a unique identifying number. Each printed copy must be labeled at the bottom with the purpose of the copy. A handwritten traffic ticket must consist of four copies, one of which must be blue and must be given to the vehicle operator who is the alleged traffic violator; one of which must be yellow and must be dispatched to the Department of Motor Vehicles for its records and for audit purposes; one of which must be white and must be dispatched to the police agency of which the arresting officer is a part; and one of which must be green and must be retained by the trial officer for his records. An electronic traffic ticket must consist of at least one printed copy that must be given to the vehicle operator who is the alleged traffic violator and as many as three additional printed copies if needed to communicate with the Department of Motor Vehicles, the police agency, and the trial officer. Tickets may be collected electronically, but must be transmitted to the Department of Motor Vehicles electronically. Data transmissions to the Department of Motor Vehicles must be made pursuant to the Department of Motor Vehicles' electronic specifications.

HISTORY: 1962 Code Section 46-872; 1967 (55) 203; 1980 Act No. 353, Section 2; 1993 Act No. 181, Section 1469; 2005 Act No. 68, Section 2, eff May 23, 2005; 2009 Act No. 1, Section 1, eff April 7, 2009; 2016 Act No. 185 (H.3685), Section 1, eff January 1, 2017.

SECTION 56-7-30. Printing and ordering traffic tickets; forwarding to court and Department of Motor Vehicles within three business days of issuance to offender; forwarding of disposition information; electronic tickets.

(A) The Department of Public Safety shall have the traffic tickets printed. Law enforcement agencies shall order tickets from the Department of Public Safety and shall record the identifying numbers of the tickets received by them. The cost of the tickets must be paid by the law enforcement agency. The court's copy must be forwarded by the law enforcement agency to the appropriate court and electronically to the Department of Motor Vehicles within three business days of issuance to the offender. After final trial court action or nolle prosequi, disposition information must be forwarded electronically to the Department of Motor Vehicles by the appropriate court within five business days of the trial date.

(B) A law enforcement agency that issues uniform traffic tickets in an electronic format as provided in Section 56-7-10 may generate a printed copy of this ticket by using an in-car data terminal or hand held device. A copy of the ticket must be given to the offender. The court's

copy must be forwarded by the law enforcement agency to the appropriate court, in a format as prescribed by the South Carolina Judicial Department, and electronically to the Department of Motor Vehicles within three business days of issuance to the offender. Data transmissions to the Department of Motor Vehicles must be made pursuant to the Department of Motor Vehicles' and the South Carolina Judicial Department's electronic systems specifications.

HISTORY: 1962 Code Section 46-873; 1967 (55) 203; 1980 Act No. 353, Section 3; 1993 Act No. 181, Section 1470; 2005 Act No. 68, Section 3, eff May 23, 2005; 2016 Act No. 185 (H.3685), Section 2, eff January 1, 2017.

SECTION 56-7-35. Uniform traffic ticket for speeding or disregarding traffic control device; incident to and contemporaneous with traffic stop; delivery; use of photographic evidence; exception for toll collection violation.

(A)(1) A law enforcement officer who issues a uniform traffic ticket for a violation of a local ordinance or traffic laws relating to speeding must do so incident to and contemporaneous with a traffic stop.

(2) A copy of the citation must be given directly to the offender by the law enforcement officer issuing the citation at the time of the traffic stop for the offense.

(3) A law enforcement agency may not utilize the United States mail, a parcel delivery service, electronic means, or otherwise to send to the operator or owner of a motor vehicle or motorcycle, as defined in Section 56-3-20, a uniform traffic citation alleging a violation of a local ordinance or the traffic laws relating to speeding. This subsection does not prohibit the law enforcement agency from sending the operator or owner an additional copy of a uniform citation that was issued to the operator or owner during the traffic stop for the offense upon request of the operator or owner.

(4) A uniform traffic citation alleging the violation of a local ordinance or the traffic laws relating to speeding may not be issued based in whole or in part upon photographic evidence, whether gathered in conjunction with radar speed detection devices and whether the camera or other electronic device capturing the photographic evidence was attended or unattended at the time it captured the photographic evidence. This section does not prohibit the use of photographic or video evidence at any hearing related to the offense to corroborate the testimony of a law enforcement officer who personally observed the offense.

(B)(1) A law enforcement officer who issues a uniform traffic ticket for a violation of a local ordinance or the traffic laws relating to disregarding a traffic control device must do so incident to and contemporaneous with a traffic stop.

(2) A copy of the citation must be given directly to the offender by the law enforcement officer issuing the citation at the time of the traffic stop for the offense.

(3) A law enforcement agency may not utilize the United States mail, a parcel delivery service, electronic means, or otherwise to send to the operator or owner of a motor vehicle or motorcycle, as defined in Section 56-3-20, a uniform traffic citation alleging a violation of a local ordinance or the traffic laws relating to disregarding traffic control devices. This subsection does not prohibit the law enforcement agency from sending the operator or owner an additional copy of a uniform citation that was issued to the operator or owner during the traffic stop for the offense upon request of the operator or owner.

(4) A uniform traffic citation alleging the violation of a local ordinance or the traffic laws relating to disregarding traffic control devices may not be issued based in whole upon

photographic evidence, whether the camera or other electronic device capturing the photographic evidence was attended or unattended at the time it captured the photographic evidence. This section does not prohibit the use of photographic or video evidence at any hearing related to the offense to corroborate the testimony of a law enforcement officer who personally observed the offense.

(C) The provisions of this section do not apply to:

- (1) toll collection; or
- (2) issuance of a uniform traffic citation alleging the violation of Section 56-5-2770.

HISTORY: 2011 Act No. 65, Section 1, eff June 17, 2011; 2014 Act No. 274 (H.5014), Section 4, eff June 9, 2014.

SECTION 56-7-40. Penalty for failure to account for ticket, use of nonuniform ticket, or failure to forward ticket.

Any person intentionally violating the provisions of Section 56-7-10 or 56-7-30 shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not less than two hundred fifty dollars nor more than fifteen hundred dollars or imprisoned for not more than six months, or both, for each ticket unaccounted for, or each use of a nonuniform ticket, or each failure to timely electronically forward the Department of Motor Vehicles a copy of the ticket. If the failure to account for a ticket, or the use of a nonuniform ticket, or the failure to timely forward the Department of Motor Vehicles a copy of the ticket is inadvertent or unintentional, such misuse shall be triable in magistrates court and, upon conviction, shall be punishable by a fine of not more than one hundred dollars.

HISTORY: 1962 Code Section 46-874; 1967 (55) 203; 1980 Act No. 353, Section 4; 2016 Act No. 185 (H.3685), Section 3, eff January 1, 2017.

SECTION 56-7-50. Nonapplicability to certain agencies.

The provisions of this chapter shall not apply to the South Carolina Department of Natural Resources or to any of its agents.

HISTORY: 1985 Act No. 158, Section 2; 1993 Act No. 181, Section 1471.

SECTION 56-7-70. Law enforcement officer identification upon stopping a driver.

When a law enforcement officer stops a driver for a violation of the motor vehicle laws, he shall present his law enforcement badge or other appropriate identification to the driver immediately upon approaching him and before questioning.

HISTORY: 1990 Act No. 598, Section 1.

SECTION 56-7-80. County or municipal uniform ordinance summons.

(A) Counties and municipalities are authorized to adopt by ordinance and use an ordinance summons as provided herein for the enforcement of county and municipal ordinances. Upon adoption of the ordinance summons, any county or municipal law enforcement officer or code enforcement officer is authorized to use an ordinance summons. Any county or municipality

adopting the ordinance summons is responsible for the printing, distributing, monitoring, and auditing of the ordinance summons to be used by that entity.

(B) The uniform ordinance summons may not be used to perform a custodial arrest. No county or municipal ordinance which regulates the use of motor vehicles on the public roads of this State may be enforced using an ordinance summons.

(C) An ordinance summons must cite only one violation per summons and must contain at least the following information:

- (1) the name and address of the person or entity charged;
- (2) the name and title of the issuing officer;
- (3) the time, date, and location of the hearing;
- (4) a description of the ordinance the person or entity is charged with violating;
- (5) the procedure to post bond; and
- (6) any other notice or warning otherwise required by law.

The ordinance summonses must be consecutively and discretely numbered. The ordinance summonses must be audited as part of the annual independent audit required in Section 4-9-150 for counties and in Section 5-7-240 for municipalities, and a separate copy of each audit must be furnished to the chief administrative officer of the county or municipality, as appropriate.

(D) Service of a uniform ordinance summons vests all magistrates' and municipal courts with jurisdiction to hear and dispose of the charge for which the ordinance summons was issued and served.

(E) Any law enforcement officer or code enforcement officer who serves an ordinance summons must allow the person served to proceed without first having to post bond or to appear before a magistrate or municipal judge. Acceptance of an ordinance summons constitutes a person's recognizance to comply with the terms of the summons.

(F) Any person who fails to appear before the court as required by an ordinance summons, without first having posted such bond as may be required or without having been granted a continuance by the court, is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred dollars or imprisoned for not more than thirty days. Any law enforcement agency processing an arrest made pursuant to this subsection must furnish such information to the State Law Enforcement Division as required by Chapter 3 of Title 23.

(G) This statute does not prohibit a county or municipality from enforcing ordinances by means otherwise authorized by law.

HISTORY: 1992 Act No. 328, Section 1.