



ABATE Legislative

Monthly Report

Subcommittee Report S248



Subcommittee Report January 12, 2022

Senator Young: Being the primary sponsor of this bill he started testimony on this bill and outlined that currently 24 states have enacted hands free legislation. He stated that the last subcommittee on this bill was in October of 2018. Georgia had passed a similar law in 2018 and their overall fatalities have gone down by 16%.

Representative Taylor: He provided testimony that he had first filed similar legislation in 2015 calling it DUI-E to get attention on this issue but many defense attorney did not like that name. He pointed out that for several years it is illegal to drive with a hand held device for all state employees, truckers, military personal and worked at the Savannah nuclear site. He proved the three charts showing voters responses when asked about hands free legislation (see page two).

Secretary of Transportation Christy Hall: She provided testimony that 79% of all traffic fatalities are from drivers that are not impaired. South Carolina also continues to earn the reputation of the highest fatalities in the nation. .

SCDPS Director of Executive Affairs Teckla Henderson: They recommended four amendments. Remove reference to commercial vehicles since they are handled under federal laws, change definition to "Mobile Electronic" device, exclusion for lawfully parked or stopped and change "Probable" to Reasonable Suspicion".

SCDMV Deputy Director of Legislative Affairs Lauren Phillips: She suggested an amendment that would provide a three year period at which time any previous violation would no longer be seen. The current bill did not have any limit so each violation would be on your record indefinitely.

Palmetto Cycling Coalition Executive Director Amy Johnson Ely: She had one of their members testify on the death of her husband that was due to a person using a cell phone. It was very powerful testimony and they asked that South Caroline work to change the behavior of their drivers.

Sub Committee Chairman Senator Wes Climer: Chairman had various input for other Senators during this subcommittee and with time constraints he suggested they schedule an additional subcommittee so other would be able to testify. Senator Bennett stated that he felt it would be beneficial to all to hold a vote and move this forward to the full committee if all would agree. Chairman Climer asked if anyone had testimony against S248 and no person did. Staff also explained that written testimony in favor had been provided by ABATE of South Carolina, South Carolina Truckers Association and other individuals which all the members had in their packets.

The Vote: Senator Bennett made a motion to move this bill forward and all attend senators voted in favor with Senator McElveen voting by proxy for Senator Bright Matthews. This bill with amendments will be in full Transportation Committee on Wednesday January 19th and 11:00 a.m. If you are interested in attending we will be meeting at the IHOP that is located across from the statehouse on Assembly Street.

ABATE is a state motorcyclists rights organization dedicated to defending the rights of all motorcyclists. ABATE also encourages all motorcyclists to register to vote and become active in the political process. ABATE encourages motorcyclists to voluntarily obtain motorcycle rider training.



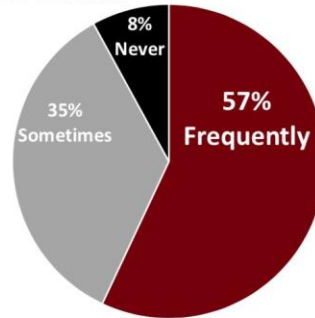
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The graphs below are from a statewide survey of South Carolina voters that was conducted by Trafalger Polling

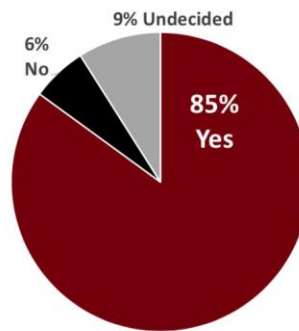
It is common to see drivers texting in South Carolina

More than **9 out of 10** South Carolina voters say that they “**frequently**” or “**sometimes**” observe others using their phones to text or to browse the internet while driving



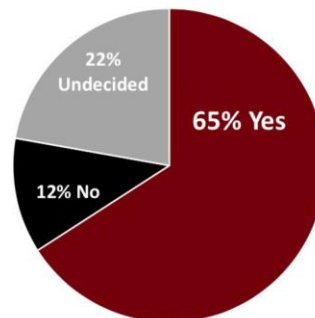
South Carolina voters believe distracted driving is a significant problem

More than **8 in 10** South Carolina voters say texting while driving is a “**major contributing factor**” to the rise in auto accidents



2 in 3 South Carolina voters support a “hands-free” law

When asked if they would favor a new “hands-free” law in South Carolina, **65% say yes** and just **12% say no**, a **margin of 6 to 1**



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