



INTRA-STATE REGULATIONS FOR THE STATE OF SOUTH CAROLINA

Overview

South Carolina has presently adopted the Federal Motor Carrier Safety Regulations, [Parts 382, 383, 385, 387](#), and [390–399](#), and amendments as they occur, so long as they do not conflict with the state laws of South Carolina. There are some additional state requirements.

A current copy of the Motor Carrier Safety Regulations must be maintained by a certificated carrier in its principal office in South Carolina. If the carrier is engaged in the hauling of hazardous materials, 49 CFR [Parts 171–180](#) must be maintained as well.

Applicability

The regulations apply to a commercial motor vehicle and its driver, operating in intrastate commerce with a gross vehicle weight, gross vehicle weight rating, gross combination weight, or gross combination weight rating equal to or exceeding 26,001 pounds, and a commercial motor vehicle and its driver, transporting hazardous materials required to be placarded.

State Transport Police

(803) 896-5500

www.scdps.gov/scstp/

South Carolina Department of Motor Vehicles

CDL Compliance Office

(803) 896-2694

www.scdmvonline.com/DMVNew/default.aspx?n=home

Driving of Motor Vehicles

Federal regulations

South Carolina has adopted [Part 392](#) of the Federal Regulations.

Applicability

[Part 392](#) applies to a commercial motor vehicle and its driver, operating in intrastate commerce with a gross vehicle weight, gross vehicle weight rating, gross combination weight, or gross combination weight rating equal to or exceeding 26,001 pounds, or a commercial motor vehicle and its driver, transporting hazardous materials required to be placarded.

Engine Idling

A commercial diesel vehicle licensed for use on a public roadway to transport property or passengers with a gross vehicle weight, gross vehicle weight rating, gross combination weight, or gross combination weight rating of 10,001 pounds or more may not idle for more than 10 minutes in any 60-minute period.

A passenger bus (designed to carry 16 or more passengers) may idle up to 15 minutes in a 60-minute period to provide heating or air conditioning when passengers are on the vehicle.

Exceptions — There is an exception for an occupied vehicle with a sleeper berth for the purpose of heating or air conditioning:

- during a rest or sleep period;
- when the outside temperature is less than 40°F or greater than 80°F; or

- while the vehicle is at a rest area, fleet trucking terminal, commercial truck stop, state designated location designed for the intended purpose of a driver's rest area, or any location that a vehicle is legally permitted to park that is at least 500 feet from residential housing, schools, daycare facilities, hospitals, or similar locations.

There are also exceptions for:

- traffic conditions;
- operation of defrosters, heaters, air conditioners, cargo refrigeration equipment, or to install equipment to prevent a health or safety emergency;
- emergency and law enforcement vehicles;
- maintenance, servicing, or diagnostic purposes;
- federal and state inspections;
- powering work-related mechanical or electrical operations;
- an armored vehicle when a person remains on vehicle to guard the vehicle's contents or while loading and unloading; or
- an occupied vehicle while waiting in line or queuing to load or unload.

Speed limit

The speed limit is 70 mph on rural interstates, 65 mph on 4-lane roads, and 55 mph on all other highways.

Driving Records

Checking driving records

Information Required —Driver's full name, address, date of birth, driver license number, and consent of driver. The company's name and address.

Format — Form MV-70, "Request for Driver Information" is required. Forms are available at the Department of Motor Vehicles website: <http://www.scdmvonline.com>.

Fee — \$6.00 per request. Fee must accompany request and be payable to the South Carolina Department of Motor Vehicles.

South Carolina Department of Motor Vehicles
(803) 896-5000
<http://www.scdmvonline.com/DMVNew/default.aspx?n=home>

Hours of Service

Federal regulations

South Carolina has adopted [Part 395](#) of the Federal Regulations.

Applicability

[Part 395](#) applies to a commercial motor vehicle and its driver, operating in intrastate commerce with a gross vehicle weight, gross vehicle weight rating, gross combination weight, or gross combination weight rating equal to or exceeding 26,001 pounds, or a commercial motor vehicle and its driver, transporting hazardous materials required to be placarded.

Exception — Intrastate drivers for motor carriers are prohibited from driving more than 12 hours following 8 consecutive hours off duty; for any period after having been on duty 16 hours following 8 consecutive hours off duty; after having been on duty 70 hours in 7 consecutive days; more than 80 hours in 8 consecutive days. An intrastate driver is determined by his previous 7 days of operation.

Electronic logging device (ELD)

South Carolina has adopted the electronic logging device (ELD) requirements in Part 395 for intrastate motor carriers and drivers.

See Safety [Overview](#) for information about the adoption of Federal safety regulations and applicability.

Inspection and maintenance

Federal regulations

South Carolina has adopted [Part 396](#) of the Federal Regulations.

Applicability

[Part 396](#) applies to a commercial motor vehicle and its driver, operating in intrastate commerce with a gross vehicle weight, gross vehicle weight rating, gross combination weight, or gross combination weight rating equal to or exceeding 26,001 pounds, or a commercial motor vehicle and its driver, transporting hazardous materials required to be placarded.

Parts and Accessories

Federal regulations

South Carolina has adopted [Part 393](#) of the Federal Regulations.

Applicability

[Part 393](#) applies to a commercial motor vehicle and its driver, operating in intrastate commerce with a gross vehicle weight, gross vehicle weight rating, gross combination weight, or gross combination weight rating equal to or exceeding 26,001 pounds, or a commercial motor vehicle and its driver, transporting hazardous materials required to be placarded.

First aid kit

No requirements.

Studded tires

No tire may have any block, stud, flange, cleat, spike, or any other protuberance of any material other than rubber projecting beyond the tread surface of the tire.

Tire chains

Tire chains of reasonable size are allowed when required for safety because of snow, ice, or other conditions tending to cause a vehicle to skid.

Qualification of Drivers

Federal regulations

South Carolina has adopted [Part 391](#) of the Federal Regulations with the exception of 391.11(b)(1) for intrastate drivers.

Applicability

[Part 391](#) applies to a commercial motor vehicle and its driver, operating in intrastate commerce with a gross vehicle weight, gross vehicle weight rating, gross combination weight, or gross combination weight rating equal to or exceeding 26,001 pounds, or a commercial motor vehicle and its driver, transporting hazardous materials required to be placarded.

Age

18 years intrastate; 21 years interstate.

Alcohol and drug testing

Effective January 1, 2009, all employers must report to the South Carolina Department of Motor Vehicles (SCDMV) verified positive drug tests or positive alcohol confirmation tests, refusals to provide a specimen for a drug or alcohol test under [49 CFR Part 40](#), or submission of an adulterated, diluted positive, or substituted specimen for all employee or applicant commercial driver's license (CDL) holders. Employers must submit form CDL-18 to SCDMV within three business days and must maintain a copy of this notification for three years.

Commercial drivers who are reported as having a verified positive drug test or positive confirmed alcohol test, refusing to provide a specimen for a drug or alcohol test under [49 CFR Part 40](#), or submitting an adulterated, diluted positive, or substituted specimen will be disqualified by SCDMV from operating a commercial motor vehicle within 20 days.

The disqualification stays in effect until the employee or applicant undergoes a drug and alcohol assessment by a substance abuse professional (SAP) meeting the requirements of [49 CFR Part 40](#), successfully completes a drug or alcohol treatment or education program as recommended by the SAP, and pays a \$100 reinstatement fee to SCDMV. If a CDL driver is disqualified due to a drug or alcohol test violation more than three times in a five year period, he/she is permanently disqualified from operating a commercial motor vehicle.

Form CDL-18 may be obtained via SCDMV's website: www.scdmvonline.com.

Driver qualification files

A driver qualification file ([Sec. 391.51](#)) is required.

Operator's license

The license classes are as follows:

Class	Description
Class A	Any combination of vehicles with a gross combination weight rating (GCWR) of 26,001 or more pounds provided the gross vehicle weight rating (GVWR) of the vehicle(s) being towed is in excess of 10,000 pounds.
Class B	Any single vehicle with a GVWR of 26,001 or more pounds, or any such vehicle towing a vehicle not in excess of 10,000 pounds GVWR.
Class C	Any single vehicle or combination of vehicles, that does not meet the definitions of Class A or Class B, but either is designed to transport 16 or more passengers, including the driver, or is placarded for hazardous materials.
Class D	Operator's license. A single unit or combination of vehicles not over 26,000 pounds gross vehicle weight.
Class E	Allows the same as Class D, plus single unit vehicles weighing over 26,000 pounds gross vehicle weight that do not meet the definition of Class A, B, and C.
Class F	Allows the same as Class D and Class E and all other combinations of vehicles over 26,000 pounds gross vehicle weight that do not meet the definition of Class A, B, and C.

Class Motorcycle.
M

Endorsements

H Hazardous materials (HAZMAT)

N Tank vehicle

P Passenger vehicle-16 passengers (including driver)

T Double/triple trailer

X Combination of tank vehicle & HAZMAT

S School bus

Restrictions

A Corrective lenses

B Special restricted

C No interstate driving

D Not to exceed 50 mph

E Neighborhood only (10 mile radius)

F Previous DUI

G Hand control

H Steering knob

I Intrastate only

J Automatic transmission

K May not drive air-brake-equipped vehicle

L Other

M Outside mirror

N Turn signals

O	Day driving only
P	Government vehicle(s) only
Q	Power steering/brakes
R	Passenger vehicle only
S	Route restricted
V	CDL B passenger vehicle also
W	CDL C passenger vehicle also
Z	Except tractor trailer

Recording and Reporting of Accidents

Federal regulations

South South Carolina has adopted [Sec. 390.15](#) of the Federal Regulations, which includes accident recordkeeping requirements.

Applicability

[Section 390.15](#) applies to a commercial motor vehicle and its driver, operating in intrastate commerce with a gross vehicle weight, gross vehicle weight rating, gross combination weight, or gross combination weight rating equal to or exceeding 26,001 pounds, or a commercial motor vehicle and its driver, transporting hazardous materials required to be placarded.

Notification

The driver of a vehicle involved in an accident resulting in injury to or death of any person shall immediately report the accident to the local police department if the accident occurs within a municipality, otherwise to the office of the county sheriff or the nearest office of the South Carolina Highway Patrol either by oral or written report.

The operator or owner of a motor vehicle involved in an accident resulting in injury to or death of any person or total property damage to an apparent extent of \$1,000 or more which was not investigated by a law enforcement officer shall, within 15 days after such accident, forward a written report and verification of liability insurance coverage of such accident to the department. The “Traffic Collision Report” form (FR-309) must be used to complete the reporting and verification process. The form is available via the South Carolina Department of Motor Vehicles website: <http://www.scdmvonline.com/DMVNew/Forms/fr-309.pdf>

Failure to forward the accident report verified in the proper manner in respect to liability insurance coverage for the operation of the vehicle involved in the accident shall be prima facie evidence that the vehicle was uninsured.

The driver of any vehicle involved in an accident resulting only in damage to fixtures legally upon or adjacent to a highway shall take reasonable steps to locate and notify the owner or person in charge of such property of such fact and of his name and address and of the registration number of the vehicle he is driving and shall upon request and if available exhibit his driver’s license and shall make report of such accident when and as required above.

How to obtain accident reports

Procedure

A copy of an official investigating officer’s motor vehicle accident report may be obtained by submitting Form FR-50 to the Department of Motor Vehicles. Due to the Driver’s Privacy Protection Act, a Form MV-70 must also be completed.

Fee

\$6.00 – charge does not vary with the number of vehicles involved in the accident.

\$26.00 – to obtain a copy of the report within three business days

South Carolina Department of Motor Vehicles
(803) 896-5000
www.scdmvonline.com/DMVNew/default.aspx?n=home

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