

South Carolina:

SECTION 56-3-10. Short title.

This chapter shall be known and cited as the "South Carolina Motor Vehicle Registration and Licensing Act."

HISTORY: 1962 Code Section 46-1; 1952 Code Section 46-1; 1949 (46) 342.

SECTION 56-3-20. Definitions.

For purposes of this chapter, the following words and phrases are defined as follows:

(13) "Trailer" means every vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and constructed so that no part of its weight rests upon the towing vehicle.

(14) "Semitrailer" means every vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and constructed so that some part of its weight and that of its load rests upon or is carried by another vehicle.

SECTION 56-3-400. Reciprocity in registration and licensing of automobile utility trailers; "automobile utility trailer" defined.

The term "automobile utility trailer" when used in Sections 56-3-400 to 56-3-420 shall mean and include any trailers suitable for towing by a private passenger automobile, the use of which is confined to the private hauling of personal property for intrastate or interstate use, or combined intrastate and interstate use. The term "automobile utility trailer" shall not include trailers or semitrailers rented or leased to any person for use by such lessee in the furtherance of or as an incident to any commercial or industrial enterprise in interstate commerce or for the use in connection with any business or occupation carried on in interstate commerce by the lessee.

SECTION 56-3-410. Reciprocity in registration and licensing of automobile utility trailers; procedures; extension of registration.

For the purpose of interstate and combined interstate and intrastate reciprocity provisions of Sections 56-3-400 to 56-3-420, automobile utility trailers shall be extended full reciprocity,

provided that every person who owns automobile utility trailers within this State and who is engaged in the business of leasing such trailers for use in interstate, intrastate or combined interstate and intrastate commerce (a) registers and licenses all automobile utility trailers owned by him in the state wherein the owner actually resides and such state affords equal recognition, either in fact or in law, to such trailers licensed in this State or (b) registers and licenses in this State the average number of automobile utility trailers operated in and through this State during the licensing year. In such instances, the person shall register with the Department of Motor Vehicles the fact that he is engaged in such business and shall file data in such form and verified in such manner as shall be required by the Department, estimating the average number of automobile utility trailers he leases for operation in and through the State during the licensing year. The Department shall then determine the average number of such trailers operated in and through this State during the licensing year and such determination shall be final. Upon payment of the fee required by Section 56-3-130, the Department shall, subject to the provisions of Section 56-3-420, issue registration certificates and license plates for the average number of such automobile utility trailers as above determined and that number of trailers shall display the license plates. Thereafter, all trailers properly identified and licensed in any state, territory, province, country or the District of Columbia and belonging to such person shall be permitted to operate in this State on an interstate, intrastate or combined interstate and intrastate basis; provided, that such trailers are towed by private passenger cars duly registered and licensed in this State or in another state and legally operated in this State under the reciprocity laws of this State.

ARTICLE 33

Size, Weight and Load

SECTION 56-5-4010. Size and weight limits shall not be exceeded; powers of local authorities. (A) It is unlawful for a person to drive or move or for the owner to cause or knowingly to permit to be driven or moved on a highway a vehicle of a size or weight exceeding the limitations stated in this article or otherwise in violation of this article. The maximum size and weight of vehicles herein specified is lawful throughout the State, and local authorities shall have no power or authority to alter these limitations except as express authority may be granted in this article. Provided, that municipalities and their franchisees may operate combinations of vehicles of not more than four units and not more than sixty-five feet in length on city streets within their corporate limits and the operation of these combinations of units is limited to speeds not in excess of twenty miles an hour, and these combination units must be equipped with brakes meeting braking requirements of Section 56-5-4860 and the rear vehicle must be equipped with at least one stoplight.

(B) The Transport Police Division of the Department of Public Safety has exclusive authority in this State for enforcement of the commercial motor vehicle carrier laws, which include Federal

Motor Carrier Safety Regulations, Hazardous Material Regulations, and size and weight laws and regulations.

SECTION 56-5-4030. Width of vehicles.

(A) As contained in this section, "appurtenances" include:

(1) an awning and its support hardware; and

(2) an appendage that is intended to be an integral part of a motor home, travel trailer, or truck camper and is installed by the manufacturer or dealer which includes, but is not limited to, vents, electrical outlet covers, and window frames.

(B) The total outside width of a vehicle or the load on it may not exceed one hundred two inches exclusive of safety devices approved by the Department of Public Safety.

(C) Appurtenances on motor homes, travel trailers, and truck campers in noncommercial use may extend to a maximum of six inches on one side and four inches on the other beyond the maximum width requirement contained in subsection (B).

SECTION 56-5-4060. Height of vehicles; exception; routing permits; underpasses.

(A)(1) No vehicle, unladen or with load, may exceed a height of thirteen feet six inches except that the height of an automobile transporter unit or a heavy truck transporting one or more other heavy trucks in a saddle mount combination may not exceed fourteen feet. Automobile transporters and heavy trucks transporting one or more other heavy trucks in a saddle mount combination are responsible for any personal injury or property damage resulting from operating a unit at a height in excess of thirteen feet six inches.

(2) To qualify for the fourteen foot exception contained in subsection (A)(1), the owner or operator of the heavy truck transporting one or more other heavy trucks in a saddle mount combination must have a valid routing permit issued by the Department of Transportation. All applicants shall be issued routing permits at no charge upon providing the department with evidence of its general liability coverage. Routing permits shall remain valid for twelve months from the date of issuance and specify the routes that may be traveled by the permittee and the conditions the permittee must observe while transporting heavy trucks in a saddle mount combination. Routing permits do not limit or otherwise affect the holder's liability for personal injuries or property damage.

(B) It is unlawful for any person to operate or attempt to operate under any underpass having a

vertical clearance of less than thirteen feet six inches any vehicle with a height in excess of the vertical clearance of the underpass posted in accordance with the manual on uniform traffic-control devices provided for in Section 56-5-920. No person is required to raise, alter, construct, or reconstruct any existing underpass, wire, pole, trestle, or other structure to permit the passage of any vehicle, and neither the State nor any of its agencies or political subdivisions are liable for any personal injury or property damage resulting from the operation of a vehicle over any highway, road, or bridge or through any underpass having a vertical clearance of less than fourteen feet where the Department of Transportation or other body having maintenance jurisdiction of the underpass has posted notice of the reduced vertical clearance in accordance with the manual on uniform traffic-control devices provided for in Section 56-5-920.

SECTION 56-5-4070. Length of vehicles; limitations on vehicle combinations.

(A) Two or three unit vehicle combinations may be operated on the National System of Interstate and Defense Highways, on those qualifying federal-aid highways so designated by the United States Secretary of Transportation, and on other highways as designated by the Department of Transportation in accordance with Section 56-5-4075. The Department of Public Safety may require warning devices which may be necessary to protect public safety. When in use on the National System of Interstate and Defense Highways and "other qualifying highways":

(1) No trailer or semitrailer may be operated in a two unit truck tractor-trailer or truck tractor-semitrailer combination in excess of fifty-three feet, inclusive of the load carried on it. A fifty-three foot long trailer must be equipped with a rear underride guard, and the distance between the kingpin of the vehicle and the center of the rear axle assembly or to the center of the tandem axle assembly if equipped with two axles may be no greater than forty-one feet.

(2) A trailer or semitrailer, operating in a three unit combination, may not exceed a length of twenty-eight and one-half feet, inclusive of the load carried on it.

(3) Auto and boat transporters may not have an overall length in excess of seventy-five feet, exclusive of front and rear overhang. However, front overhang may not exceed three feet, and rear overhang may not exceed four feet.

(4) Saddle mounts and full mounts may not have an overall length in excess of seventy-five feet.

(B) No motor vehicle, exclusive of truck tractors being used in two or three unit combinations on the National System of Interstate and Defense Highways, on those qualifying federal-aid highways so designated by the United States Secretary of Transportation, and on other highways as designated by the Department of Transportation in accordance with Section 56-5-4075, may exceed a length of forty feet extreme overall dimension, inclusive of front and rear bumpers and load carried on it, except buses as approved by the Department of Public Safety, or motor homes

which may not exceed forty-five feet in length, if the turning radius of the motor home is forty-eight feet or less.

(C) A combination of vehicles coupled together or especially constructed to transport motor vehicles in a truckaway or driveaway service may tow up to three saddle mounts. No other combination of vehicles coupled together may consist of more than two units, except as permitted by subsection (A).

(D) Except as permitted by subsection (A), trailers or semitrailers used within combinations may not exceed a length of fifty-three feet, and auto transporters are excluded from trailer length limitations. A fifty-three foot long trailer must be equipped with a rear underride guard, and the distance between the kingpin of the vehicle and the center of the rear axle assembly or to the center of the tandem axle assembly if equipped with two axles may be no greater than forty-one feet. Auto transporters may be allowed an upper level overhang not to exceed three feet on the front and four feet on the rear.

(E) Except where specifically prohibited in this article, there is no overall length limit on combination vehicles.

(F) Appropriate safety and energy conservation devices and compressors and fuel saving equipment on the front or loading devices on the rear of vehicles must not be considered when determining their length for purposes of this section if the overall length limitations of combinations of vehicles is not exceeded.

§ 56-5-4850. **Brake** equipment.

- Every motor vehicle, **trailer**, semitrailer and pole **trailer** and any combination of such vehicles operating upon a highway within this State, shall be equipped with **brakes** in compliance with the requirements of this chapter.
 - (a) Every such vehicle and combination of vehicles, except special mobile equipment, shall be equipped with service **brakes** complying with the performance requirements of [§ 56-5-4860](#) and adequate to control the movement of and to stop and hold such vehicle under all conditions of loading, and on any grade incident to its operation.
 - (b) Every such vehicle and combination of vehicles, except motorcycles and motor-driven cycles, shall be equipped with parking **brakes** adequate to hold the vehicle on any grade on which it is operated, under all conditions of loading, on a surface free from snow, ice, or loose material. The parking **brakes** shall be capable of being applied in conformance with the foregoing requirements by the driver's muscular effort or by spring action or by equivalent means. Their operation may be assisted by the service **brakes** or other source of power

provided that failure of the service **brake** actuation system or other power assisting mechanism will not prevent the parking **brakes** from being applied in conformance with the foregoing requirements. The parking **brakes** shall be so designed that when once applied they shall remain applied with the required effectiveness despite exhaustion of any source of energy or leakage of any kind. The same **brake** drums, **brake** shoes and lining assemblies, **brake** shoe anchors and mechanical **brake** shoe actuation mechanism normally associated with the wheel **brake** assemblies may be used for both the service **brakes** and the parking **brakes**. If the means of applying the parking **brakes** and the service **brakes** are connected in any way, they shall be so constructed that failure of any one part shall not leave the vehicle without operative **brakes**.

- (c) Every vehicle, manufactured or assembled after June 7, 1949, shall be equipped with **brakes** acting on all wheels except:
 - (1) **Trailers**, semitrailers or pole **trailers**, of a gross weight not exceeding three thousand pounds, provided that:
 - (a) The total weight on and including the wheels of the **trailer** shall not exceed forty per cent of the gross weight of the towing vehicle when connected to the **trailer**, and
 - (b) The combination of vehicles, consisting of the towing vehicle and its total towed load, is capable of complying with the performance requirements of [§ 56-5-4860](#).
 - (2) Any vehicle being towed in driveaway or towaway operations, provided the combination of vehicles is capable of complying with the performance requirements of [§ 56-5-4860](#).
 - (3) Trucks and truck-tractors having three or more axles need not have **brakes** on the front wheels, except that when such vehicles are equipped with at least two steerable axles, the wheels of one steerable axle need not have **brakes**. However, such trucks and truck-tractors must be capable of complying with the performance requirements of [§ 56-5-4860](#).
 - (4) Special mobile equipment.
 - (5) The wheel of a sidecar attached to a motorcycle or to a motor-driven cycle, or the front wheel of a motor-driven cycle need not be equipped with **brakes**, provided that such motorcycle or motor-driven cycle is capable of complying with the performance requirements of [§ 56-5-4860](#).
- (d) Every **trailer**, semitrailer and pole **trailer**, equipped with air or vacuum actuated **brakes** and every **trailer**, semitrailer and pole **trailer**, with a gross weight in excess of three thousand pounds, shall be equipped with **brakes** acting on all wheels and of such character as to be applied automatically and promptly,

and remain applied for at least fifteen minutes, upon breakaway from the towing vehicle.

- (e) Every motor vehicle, manufactured or assembled after July 1, 1964 and used to tow a **trailer**, semitrailer or pole **trailer** equipped with **brakes**, shall be equipped with means for providing that in case of breakaway of the towed vehicle, the towing vehicle will be capable of being stopped by the use of its service **brakes**.
- (f) Air **brakes** systems, installed on **trailers** manufactured or assembled after July 1, 1964, shall be so designed that the supply reservoir used to provide air for the **brakes** shall be safeguarded against backflow of air from the reservoir through the supply line.
- (g)
 - (1) Every towing vehicle, manufactured or assembled after July 1, 1964, when used to tow another vehicle equipped with air controlled **brakes**, in other than driveaway or towaway operations, shall be equipped with two means for emergency application of the **trailerbrakes**. One of these means shall apply the **brakes** automatically in the event of a reduction of the towing vehicle air supply to a fixed pressure which shall be not lower than twenty pounds per square inch nor higher than forty-five pounds per square inch. The other means shall be a manually controlled device for applying and releasing the **brakes**, readily operable by a person seated in the driving seat, and its emergency position or method of operation shall be clearly indicated. In no instance may the manual means be so arranged as to permit its use to prevent operation of the automatic means. The automatic and the manual means required by this section may be, but are not required to be, separate.
 - (2) Every towing vehicle, manufactured or assembled after July 1, 1964, used to tow other vehicles equipped with vacuum **brakes**, in operations other than driveaway or towaway operations, shall have, in addition to the single control device required by item (h), a second control device which can be used to operate the **brakes** on towed vehicles in emergencies. The second control shall be independent of **brake** air, hydraulic and other pressure, and independent of other controls, unless the **braking** system be so arranged that failure of the pressure upon which the second control depends will cause the towed vehicle **brakes** to be applied automatically. The second control is not required to provide modulated **braking**.
- (h) Every motor vehicle, **trailer**, semitrailer and pole **trailer**, manufactured or assembled after July 1, 1964, and every combination of such vehicles, except motorcycles and motor-driven cycles equipped with **brakes**, shall have the **braking** system so arranged that one control device can be used to operate all

service **brakes**. **Trailers**, equipped with special automatic **braking** systems actuated by forward pressure on the towing hitch when the towing vehicle is **braked**, shall be considered as satisfying this requirement, provided the performance capabilities of the **trailer brake** system meet the requirements of [§ 56-5-4860](#). This requirement does not prohibit vehicles from being equipped with an additional control device to be used to operate **brakes** on the towed vehicles. This regulation does not apply to driveaway or towaway operations unless the **brakes** on the individual vehicles are designed to be operated by a single control on the towing vehicle.

- (i)
 - (1) Every bus, truck or truck-tractor with air operated **brakes** shall be equipped with at least one reservoir sufficient to insure that, when fully charged to the maximum pressure as regulated by the air compressor governor cut-out setting, a full service **brake** application may be made without lowering such reservoir pressure by more than twenty per cent. Each reservoir shall be provided with means for readily draining accumulated oil or water.
 - (2) Every truck with three or more axles equipped with vacuum assistor type **brakes**, manufactured or assembled after July 1, 1964, and every truck-tractor and truck, manufactured or assembled after July 1, 1964, used for towing a vehicle equipped with vacuum **brakes**, shall be equipped with a reserve capacity or a vacuum reservoir sufficient to insure that, with the reserve capacity or reservoir fully charged and with the engine stopped, a full service **brake** application may be made without depleting the vacuum supply by more than forty per cent.
 - (3) All motor vehicles, **trailers**, semitrailers and pole **trailers**, when equipped with air or vacuum reservoirs or reserve capacity as required by this section, shall have such reservoirs or reserve capacity so safeguarded by a check valve or equivalent device that in the event of failure or leakage in its connection to the source of compressed air or vacuum, the stored air or vacuum shall not be depleted by the leak or failure.
- (j)
 - (1) Every bus, truck or truck-tractor, using compressed air for the operation of its own **brakes** or the **brakes** on any towed vehicle, shall be provided with a warning signal, other than a pressure gauge, readily audible or visible to the driver, which will operate at any time the air reservoir pressure of the vehicle is below fifty per cent of the air compressor governor cut-out pressure. In addition, each such vehicle shall be equipped with a pressure gauge visible to the driver, which indicates in pounds per square inch the pressure available for **braking**.

- (2) Every motor vehicle, manufactured or assembled after July 1, 1964, and used for towing a vehicle equipped with vacuum operated **brakes** and every truck, manufactured or assembled after July 1, 1964, with three or more axles using vacuum in the operation of its **brakes**, except those in driveaway or towaway operations, shall be equipped with a warning signal, other than a gauge indicating vacuum, readily audible or visible to the driver, which will operate at any time the vacuum in the vehicle's supply reservoir or reserve capacity is less than eight inches of mercury.
- (3) When a vehicle required to be equipped with a warning device is equipped with both air and vacuum power for the operation of its own **brakes** or the **brakes** on a towed vehicle, the warning devices may be, but are not required to be, combined into a single device which will serve both purposes. A gauge indicating pressure or vacuum shall not be deemed to be an adequate means of satisfying this requirement.

§ 56-5-4450. Times when vehicles must be equipped with lights.

Every vehicle upon a street or highway within this State shall display lighted lamps and illuminating devices, excluding parking lights, from a half hour after sunset to a half hour before sunrise, and at any other time when windshield wipers are in use as a result of rain, sleet, or snow, or when inclement weather or environmental factors severely reduce the ability to clearly discern persons and vehicles on the street or highway at a distance of five hundred feet ahead as required in this article for different classes of vehicles, subject to exceptions with respect to parked vehicles as provided in this article; provided, however, the provisions of this section requiring use of lights in conjunction with the use of windshield wipers shall not apply to instances when windshield wipers are used intermittently in misting rain, sleet, or snow.

Until January 1, 1989, any person who fails to display the lights of a vehicle he is operating when lights are required by this section due to inclement weather or environmental factors may be issued only a warning ticket.

Any person who violates this section is guilty of a misdemeanor and, upon conviction, may be fined up to twenty-five dollars.

§ 56-5-4990. Mirrors.

Every motor **vehicle** which is so constructed or loaded as to obstruct the driver's view to the rear thereof from the driver's position shall be equipped with a **mirror** so located as to reflect to the driver a view of the highway for a distance of at least two hundred feet to the rear of such **vehicle**.