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A BILL

11 TO AMEND ARTICLE 1, CHAPTER 5, TITLE 56 OF THE 1976
12 CODE, RELATING TO THE UNIFORM ACT REGULATING
13 TRAFFIC ON HIGHWAYS, BY ADDING SECTION 56-5-100,
14 TO PROVIDE THAT THE IMPLEMENTATION OR USE OF A
15 MOTOR CARRIER SAFETY IMPROVEMENT THAT IS
16 REQUIRED BY A COMPANY ENGAGING IN THE
17 OPERATION OF A COMMERCIAL MOTOR VEHICLE SHALL
18 NOT BE CONSIDERED IN ANY EVALUATION OF AN
19 INDIVIDUAL'S STATUS AS AN EMPLOYEE, JOINT
20 EMPLOYEE, OR INDEPENDENT CONTRACTOR OF THE
21 COMPANY UNDER STATE LAW; AND TO DEFINE
22 NECESSARY TERMS.

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

27 SECTION 1. Article 1, Chapter 5, Title 56 of the 1976 Code is
28 amended by adding:
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30 "Section 56-5-100. (A) For the purposes of this section, 'motor
31 carrier safety improvement' means any device, equipment,
32 software, technology, procedure, training, policy, program, or
33 operational practice intended and primarily used to facilitate or
34 improve:

35 (1) the safety of a motor carrier or commercial motor vehicle,
36 as defined in Section 12-37-2810;

37 (2) compliance with traffic safety laws relating to motor
38 carriers or commercial motor vehicles; or

39 (3) the safety of third-party users of public roads.

40 (B) The deployment, implementation or use of a motor carrier
41 safety improvement by or as required by a motor carrier or its related
42 entity, including by contract, shall not be considered in any

1 evaluation of an individual's status as an employee, joint employee,
2 or independent contractor under any state law.”

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4 SECTION 2. This act takes effect upon approval by the Governor.

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