

SECTION 16-13-80. Larceny of bicycles.

The larceny of a bicycle is a misdemeanor and, upon conviction, the person must be punishable at the discretion of the court. When the value of the bicycle is less than one thousand dollars, the case is triable in magistrate's court and, upon conviction, the person must be fined not more than five hundred dollars or imprisoned not more than thirty days.

SECTION 16-21-70. Use of bicycle or certain other vehicles without permission.

Whoever knowingly and willfully shall take and use any bicycle or other vehicle, except as defined in Section 56-19-10, without the consent of the owner thereof, but without intent to steal such vehicle, shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not more than five hundred dollars or by imprisonment for a period of not more than one year or both fine and imprisonment, in the discretion of the court.

SECTION 53-1-50. Exceptions to prohibition on Sunday work.

Section 53-1-40 does not apply to the following:

(1) The sale of food needs, ice, or soft drinks.

{Some items omitted from this for non-relevance to bicycling}

(5) The transportation by air, land, or water of persons or property, nor to the sale or delivery of heating, cooling, refrigerating, or motor fuels, oils, or gases, or the purchase or installation of repair parts or accessories for immediate use in cases of emergency in connection with motor vehicles, boats, bicycles, aircrafts, or heating, cooling, or refrigerating systems, nor to the cleaning of motor vehicles.

SECTION 56-3-4410. "Share the Road" license plates; fees; special fund for bicycling safety and education programs.

(A) The Department of Motor Vehicles may issue "Share the Road" special motor vehicle license plates to owners of private passenger-carrying motor vehicles or light pickups having an empty weight of seven thousand pounds or less and a gross weight of nine thousand pounds or less registered in their names which may have imprinted on the plate an emblem, a seal, or other symbol of the Palmetto Cycling Coalition, Inc. The Palmetto Cycling Coalition, Inc., shall submit to the department for its approval the emblem, seal, or other symbol it desires to be used for this special license plate. The Palmetto Cycling Coalition, Inc., may request a change in the emblem, seal, or other symbol not more than once every five years. The special license plate must be issued or revalidated for a biennial period which expires twenty-four months from the month it is issued. The fee for this special license plate is the regular motor vehicle registration fee contained in Article 5, Chapter 3 of this title and a special motor vehicle license fee of thirty dollars.

(B) Notwithstanding any other provision of law, from the fees collected pursuant to this section, the Comptroller General shall place sufficient funds into a special restricted account to be used by the Department of Motor Vehicles to defray the expenses of the Department of Motor Vehicles in producing and administering the special license plates. The remaining funds collected from the special motor vehicle license fee must be distributed to the Palmetto Cycling Coalition, Inc., or another nonprofit fund designated by the Palmetto Cycling Coalition, Inc., for the promotion of bicycling safety and education programs. Any remaining

funds must be administered by the Palmetto Cycling Coalition, Inc., used only for efforts to promote bicycle safety and education programs, and deposited in an appropriate nonprofit account designated by the Palmetto Cycling Coalition, Inc.

(C) Before the department produces and distributes a plate authorized under this section, it must receive:

(1) four hundred or more prepaid applications for the special license plate or a deposit of four thousand dollars from the individual or organization seeking issuance of the license plate. If a deposit of four thousand dollars is made by an individual or organization pursuant to this section, the department must refund the four thousand dollars once an equivalent amount of license plate fees is collected for that organization's license plate. If the equivalent amount is not collected within four years of the first issuance of the license plate, then the department must retain the deposit; and

(2) a plan to market the sale of the special license plate that must be approved by the department.

(D) If the department receives less than three hundred biennial applications and renewals for a particular special license plate authorized under this section, it shall not produce additional special license plates in that series. The department shall continue to issue special license plates of that series until the existing inventory is exhausted.

SECTION 56-5-160. Bicycle.

A bicycle is a device propelled solely by pedals, operated by one or more persons, and having two or more wheels, except children's tricycles.

SECTION 56-5-615. Freeway defined.

A "freeway" is a multilane divided highway with full control of access, and grade separated interchanges, of the type comprising the National System of Interstate and Defense Highways, or other highways built essentially in conformance to the standards of them.

SECTION 56-5-710. Powers of local authorities.

Subject to the limitations prescribed in Section 56-5-930, the provisions of this chapter shall not be deemed to prevent local authorities with respect to streets and highways under their jurisdiction and within the reasonable exercise of the police power from:

- (1) Regulating the standing or parking of vehicles;
- (2) Regulating traffic by means of police officers or traffic-control signals;
- (3) Regulating or prohibiting processions or assemblages on the highways;
- (4) Designating particular highways as one-way highways and requiring that all vehicles thereon be moved in one specific direction;
- (5) Regulating the speed of vehicles in public parks;
- (6) Designating any highway as a through highway and requiring that all vehicles stop before entering or crossing it or designating any intersection as a stop intersection and requiring all vehicles to stop at one or more entrances at such intersection;
- (7) Restricting the use of highways as authorized in Sections 56-5-4210 and 56-5-4220;
- (8) Regulating the operation of bicycles and requiring the registration and licensing of them, including the requirement of a registration fee;

- (9) Regulating or prohibiting the turning of vehicles or specified types of vehicles at intersections;
- (10) Altering the prima facie speed limits as authorized herein; or
- (11) Adopting such other traffic regulations as are specifically authorized by this chapter.

SECTION 56-5-970 (excerpt) Non-responsive Traffic Signals .

Certain text not printed for brevity. .

(5) Notwithstanding any other provision of law, if a driver of a motorcycle or moped, or a bicycle rider, approaches an intersection that is controlled by a traffic-control device, the driver may proceed through the intersection on a steady red light only if the driver or rider, as the case may be:

- (a) comes to a full and complete stop at the intersection for one hundred twenty seconds; and
- (b) exercises due care as provided by law, otherwise treats the traffic control device as a stop sign, and determines it is safe to proceed.

SECTION 56-5-1560. Minimum speed limits.

(a) Impeding traffic by slow speed prohibited. --No person shall drive a motor vehicle at such a slow speed as to impede the normal and reasonable movement of traffic except when reduced speed is necessary for safe operation or in compliance with law.

(b) Establishing minimum speed zones; signs. Whenever the Department of Transportation or local authorities within their respective jurisdictions determine on the basis of an engineering and traffic investigation that slow speeds on any part of a highway consistently impede the normal and reasonable movement of traffic, the Department of Transportation or local authority may determine and declare a minimum speed limit below which no person shall drive a vehicle except when necessary for safe operation or in compliance with law, when appropriate signs giving notice thereof are erected along the part of the highway for which a minimum speed limit is established. Also any minimum speed limit adopted by a municipality for a section of the state highway within the municipality shall not be effective until such minimum speed has been approved by the Department of Transportation.

SECTION 56-5-3230. Drivers to exercise due care.

Notwithstanding other provisions of any local ordinance, every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian or any person propelling a human-powered vehicle and shall give an audible signal when necessary and shall exercise proper precaution upon observing any child or any obviously confused, incapacitated or intoxicated person.

SECTION 56-5-3310. Electric Personal Assistive Mobility Devices (aka Segways). [SC ST SEC 56-5-3310]

(A) As used in this article, "Electric Personal Assistive Mobility Device" or "EPAMD" means a self-balancing two nontandem wheeled device designed to transport one person, with an electric propulsion system with average power of seven hundred fifty watts (one horsepower), whose maximum speed on a paved level surface, when powered solely by this propulsion system while ridden by an operator weighing one hundred seventy pounds, is less than twenty miles an hour.

(B) The operation of an EPAMD is governed by the

provisions of this article. Notwithstanding another provision of law, an EPAMD is not considered a "vehicle" or "motor vehicle" within the meaning of the laws of this State and no provisions of law relating to vehicles or motor vehicles apply to an EPAMD unless specified in this article.

(C) A person may operate an EPAMD upon sidewalks, roadways, bicycle routes, paths, or trails as contained in this article.

(D) A person operating an EPAMD on a sidewalk, roadway, bicycle route, path, or trail shall exercise due care to avoid colliding with, and shall yield the right-of-way to, pedestrians and human powered devices. A person operating an EPAMD also shall give an audible signal before overtaking and passing a pedestrian or person operating a human powered device.

(further parts of 56-5-3310 unrelated to bicycling omitted here)

SECTION 56-5-3410. Applicability of regulations to bicycles.

The provisions of this article are applicable to bicycles whenever a bicycle is operated upon any highway or upon any path set aside for the exclusive use of bicycles, subject to those exceptions stated in this article.

SECTION 56-5-3420. Rights and duties of bicyclists generally.

A person riding a bicycle upon a roadway must be granted all of the rights and is subject to all of the duties applicable to the driver of a vehicle by this chapter, except as to special provisions in this article and except as to those provisions of this chapter which by their nature can have no application.

SECTION 56-5-3425. Bicycle lanes.

(A) For purposes of this section, 'bicycle lane' means a portion of the roadway or a paved lane separated from the roadway that has been designated by striping, pavement markings, and signage for the preferential or exclusive use of bicyclists.

(B) Whenever a bicycle lane has been provided adjacent to a roadway, operators of:

(1) motor vehicles may not block the bicycle lane to oncoming bicycle traffic and shall yield to a bicyclist in the bicycle lane before entering or crossing the lane; and

(2) bicycles are required to ride in the bicycle lane except when necessary to pass another person riding a bicycle or to avoid an obstruction in the bicycle lane. However, bicyclists may ride on the roadway when there is only an adjacent recreational bicycle path available instead of a bicycle lane.

SECTION 56-5-3430. Riding on roadways and bicycle paths.

(A) Except as provided in subsection (B), every bicyclist operating a bicycle upon a roadway shall ride as near to the right side of the roadway as practicable. A bicyclist may, but is not required to, ride on the shoulder of the roadway in order to comply with the requirements of this subsection.

(B) A bicyclist may ride in a lane other than the right-hand lane if only one lane is available that permits the bicyclist to continue on his intended route.

(C) When operating a bicycle upon a roadway, a bicyclist must exercise due care when passing a standing vehicle or one proceeding in the same direction.

(D) Bicyclists riding bicycles upon a roadway shall not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles.

SECTION 56-5-3435. Motorists to maintain safe distance to cyclists.

A driver of a motor vehicle must at all times maintain a safe operating distance between the motor vehicle and a bicycle.

SECTION 56-5-3440. Manner of riding bicycles; number of persons which may be carried.

A bicyclist propelling a bicycle may not ride other than upon or astride a permanent and regular seat attached to the bicycle. No bicycle may be used to carry more persons at one time than the number for which it is designed and equipped.

SECTION 56-5-3445. Harassment of cyclists.

It is unlawful to harass, taunt, or maliciously throw an object at or in the direction of any person riding a bicycle. A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not less than two hundred fifty dollars or imprisoned not more than thirty days, or both.

SECTION 56-5-3450. Clinging to vehicles prohibited.

A person riding upon any bicycle, coaster, roller skates, sled, or toy vehicle may not attach it or them or himself to a vehicle upon a roadway.

SECTION 56-5-3460. Carrying articles.

A bicyclist operating a bicycle may not carry any package, bundle, or article that prevents the rider from keeping at least one hand upon the handle bars.

SECTION 56-5-3470. Lamps and reflectors on bicycle.

A bicycle when in use at nighttime must be equipped with a lamp on the front which must emit a white light visible from a distance of at least five hundred feet to the front and with a red reflector on the rear that must be visible from all distances from fifty feet to three hundred feet to the rear when directly in front of the lawful upper beams of head lamps on a motor vehicle. A lamp emitting a red light visible from a distance of five hundred feet to the rear may be used in addition to the red reflector.

SECTION 56-5-3480. Signaling

(A) (1) A bicyclist shall indicate a right turn by extending the left arm upward, by raising the left arm to the square, or by extending the right arm horizontally to the right.

(2) A bicyclist shall indicate a left turn by extending the left arm horizontally.

(3) A bicyclist shall indicate stopping or decreasing speed by extending the left arm or the right arm downward.

(B) A bicyclist is not required to give signals provided for in subsection (A) continuously if the hand or arm is needed to control the bicycle.

(C) A violation of this section is punishable by a fine of twenty-five dollars.

SECTION 56-5-3490. Brake on bicycle.

Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheels skid on dry, level, clean pavement.

SECTION 56-5-3500.

(A) Except as otherwise provided, in the absence of another violation being cited, a violation of this article by the driver of a motor vehicle is subject to a civil fine of up to one hundred dollars unless a bicyclist is injured as a result of the violation.

(B) In the absence of another violation being cited, a person driving a motor vehicle who violates a provision of this article and the violation is the proximate cause of a:

(1) minor injury to a bicyclist, must be assessed a civil fine of up to five hundred dollars; or

(2) great bodily injury, as defined in Section [56-5-2945](#), to a bicyclist, must be assessed a civil fine of not more than one thousand dollars.

SECTION 56-5-3515. Authorized police patrol bicycles; operating as emergency vehicles.

(A) An authorized police patrol bicycle used as a part of a police bicycle patrol may exercise the privileges of an emergency vehicle provided in Section [56-5-760](#).

(B) An authorized police patrol bicycle may be equipped with a siren or the officer may utilize a whistle in the performance of his duties, or both.

(C) Notwithstanding the provisions of Section [56-5-760](#)(C), an authorized police patrol bicycle acting as an emergency vehicle is entitled to the exemptions of an authorized emergency vehicle if it makes use of an audible signal meeting the requirements of Section [56-5-4970](#) or visual signals meeting the requirements of Section [56-5-4700](#).

SECTION 56-5-3860. Animals and certain vehicles prohibited on controlled-access highways; exceptions.

(A) No person, unless otherwise directed by a law enforcement officer, shall occupy any space within the limits of the roadway and shoulders of the main facility of a freeway with an animal-drawn vehicle, a ridden or led animal, herded animals, a pushcart, a bicycle, a bicycle with motor attached, a motor-driven cycle with a motor which produces not to exceed five brake horsepower, an agricultural tractor or other farm machinery, except in the performance of public works or official duties.

The prohibitions imposed by this subsection on the use of freeways do not apply to service roads alongside the highways.

(B) A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than one hundred dollars or imprisoned not more than thirty days.

SECTION 56-7-10. Uniform traffic ticket shall be used by all law-enforcement officers; effect of service; forms.

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

{Some items omitted from this for non-relevance to bicycling}

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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 (SC Dept. of Public Safety) 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.

SECTION 56-16-10. Definitions.

As used in this chapter (CHAPTER 16. REGULATION OF MOTORCYCLE MANUFACTURERS, DISTRIBUTORS, DEALERS, AND WHOLESALERS):

(a) "Motorcycle" means every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than two wheels in contact with the ground. This section shall not apply to bicycles with helper motors or vehicles defined in Section 56-5-3510 (repealed).

{Some items omitted from this for non-relevance to bicycling}

SECTION 56-19-10. Definitions.

For the purposes of this chapter and Chapter 21 of Title 16, the following terms are defined as follows:

{Some items omitted from this for non-relevance to bicycling}

(2) 'Bicycle' means a device propelled solely by pedals, operated by one or more persons, and having two or more wheels, except children's' tricycles.

(11) "Identifying number" means the numbers and letters, if any, on a vehicle designated by the department for the purpose of identifying the vehicle.

(16) "Motor vehicle" means every vehicle which is self-propelled, except mopeds, and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails.

(17) "Motorcycle" means every motor vehicle having no more than two permanent functional wheels in contact with the ground or trailer and having a saddle for the use of the rider, but excluding a tractor.

(18) "Motor-driven cycle" means every motorcycle, including every motor scooter with a motor which produces not to exceed five horsepower.

(34) "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.

(38) "Vehicle" means every device in, upon, or by which a person or property is or may be transported or drawn upon a highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks.

(43) "Moped" means, notwithstanding item (2), every cycle with pedals to permit propulsion by human power or without pedals and with a motor of not more than fifty cubic centimeters which produces not to exceed two brake horsepower and which is not capable of propelling the vehicle at a speed in excess of thirty miles an hour on level ground. If an internal combustion engine is used, the moped must have a power drive system that functions directly or automatically without clutching or shifting by the operator after the drive system is engaged.

SECTION 57-3-780. Determinations required as to feasibility of high occupancy vehicle lanes, sidewalks, and bicycle lanes.

Before building new or expanding existing primary highways, roads, and streets, the department shall consider and make a written determination whether it is financially and physically feasible to include:

- (1) high occupancy vehicle lanes, when the construction or expansion is in a metropolitan area;
- (2) pedestrian walkways or sidewalks; and
- (3) bicycle lanes or paths.

A copy of this determination must be submitted to the State Energy Office.

SECTION 58-15-710. Bicycles and baby carriages deemed baggage.

Bicycles and baby carriages shall be deemed baggage for the purpose of transportation by steam railroads and steam ferries. Steam railroads and steam ferries shall carry bicycles and baby carriages under the same rules and subject to the same liabilities as govern trunks and other separate baggage of a passenger. No person shall be required to crate, cover, lock, box or otherwise protect bicycles or baby carriages as baggage under the provisions of this section. But such steam railroads and steam ferries shall not be required to carry more than one bicycle or baby carriage for any one person.

SECTION 59-17-150. Promotion of walking or bicycling to school safety. [SC ST SEC 59-17-150]

(A) Municipal and county governing bodies shall work with school districts located in their jurisdictions to identify barriers and hazards to children walking or bicycling to and from school. The municipalities, counties, and districts may develop a plan for the funding of improvements designed to reduce the barriers and hazards identified. The sources of these funds may include federal funding or grants, state funding, or funding from private sources. Nothing in this section shall obligate any agency of federal, state, or local government to provide funding for identified improvements.

(B) Each school district in this State may establish a Safe Routes to School District Coordinating Committee. The coordinating committee shall include parents, children, teachers, administrators, local law enforcement officials, public health officials, interested citizens, and other persons familiar with the transportation needs of the school district. Duties of the coordinating committee may include gathering information about the schools in the district through surveys and traffic counts; organizing incentive-based events and contests to encourage students to try new modes of transportation; and promoting the program through school newsletters, assemblies, web sites, and other means to reach parents and students.

Any school within the district may establish a Safe Routes to School Team. The team shall include parents, children, teachers, administrators, and neighbors of the school. The team may be expanded to include local law enforcement officials, public health officials, and other persons familiar with the transportation needs of the school. The team shall select a representative to serve on the District Coordinating Committee. Duties of the team may include gathering information about their school through surveys and traffic counts; organizing incentive-based events and contests to encourage students to try new modes of transportation; and promoting the program through school newsletters and other means to reach parents and students.

(C) The first Wednesday of October of each year is designated as "Walk or Bicycle with Your Child to School Day" in each school district of this State to promote walking

or riding bicycles to school by students, with escorts if necessary, and to identify needed improvements such as sidewalks or safer pedestrian routes not open to vehicular traffic.

SECTION 61-4-510. Special retail beer and wine permits.

{ Paraphrased, this allows the proceeds from special retail beer and wine permits, in counties where they are allowed, to be used by local governments, with certain restrictions, for purposes which include acquisition of land for bicycle paths. }

SECTION 61-6-2010. Temporary permits upon referendum vote.

{ Paraphrased, this allows the proceeds from special retail liquor permits, to be used by local governments, with certain restrictions, for purposes which include acquisition of land for recreational bicycle paths. }

SECTION 61-6-4040. Rendering aid in unlawful transportation.

A person who acts as an advance or rear guard or pilot to a person engaged in the transportation of alcoholic liquors in

violation of any law of this State is guilty of the offense of knowingly transporting alcoholic liquors for unlawful purposes and, upon conviction, must be punished for this misdemeanor as follows:

(a) for a first offense, by a fine of not less than six hundred dollars or imprisonment for six months;

(b) for a second offense, by a fine of one thousand five hundred dollars or imprisonment for one year; and

(c) for a third or subsequent offense, by a fine of three thousand dollars or imprisonment for two years.

The buggy, wagon, automobile, aircraft, railroad car, bicycle, motorcycle, or other vehicle or boat, launch, or other vessel used by the person in rendering the aid may be confiscated in the same method and manner as provided by this article for the confiscation of a vehicle actually used in the carrying of these alcoholic liquors.

Note: These laws are believed to be complete as of May 12, 2009. However no responsibility is taken for inadvertent omissions. The laws from the SC Code of Laws include all matches using a computerized word search for 'Bicycle.'

It is recommended that local city and county ordinances also be consulted for relevancy to bicycles and bicycling.

--SCDOT Pedestrian & Bicycle Program

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