**A** **BILL**

TO AMEND SECTIONS 56-1-1720, 56‑5‑3720, 56‑5‑3730, 56‑5‑3750, AND 56‑5‑970, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OPERATION OF MOPEDS AND TRAFFIC CONTROL DEVICES, SO AS TO PROVIDE THAT A PERSON MAY NOT OPERATE A MOPED ALONG THE STATE’S PUBLIC HIGHWAYS AND STREETS, TO DELETE THE PROVISIONS THAT PROVIDE FOR THE ISSUANCE OF A MOPED OPERATOR’S LICENSE, AND TO DELETE THE PROVISION THAT ALLOWS A MOPED TO PROCEED THROUGH AN INTERSECTION ON A STEADY RED LIGHT UNDER CERTAIN CIRCUMSTANCES.

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

SECTION 1. Section 56-1-1720 of the 1976 Code is amended to read:

“Section 56‑1‑1720. ~~Until January 1, 1987, no~~ No person ~~under the age of twelve~~ may operate a moped on the public highways and streets of this State. ~~After December 31, 1986, to operate a moped on the public highways and streets of this State, a person must possess a valid driver’s license issued under Article 1 of this chapter or a valid moped operator’s license issued under this article, except that a person whose driver’s license has been suspended for a period of six months or less is not required to obtain a moped operator’s license or possess a valid driver’s license during the period of suspension. From January 1, 1987, to December 31, 1987, the Department shall not issue a moped operator’s license to any person who is less than thirteen years of age. After December 31, 1987, the Department of Motor Vehicles shall not issue a moped operator’s license to any person who is less than fourteen years of age.~~

Any person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction of a first offense, must be fined not less than twenty‑five dollars nor more than fifty dollars and, upon conviction of a second or subsequent offense, must be fined not less than fifty dollars nor more than one hundred dollars.

~~The Department may not issue a beginner’s permit or special restricted license as provided for in Sections 56‑1‑50 and 56‑1‑180 to any person convicted of a second or subsequent violation of operating a moped on the public highways and roads of this State while under age, until that person is at least fifteen and one‑half years of age.~~”

SECTION 2. Section 56‑5‑3720 of the 1976 Code is amended to read:

“Section 56‑5‑3720. It is unlawful for a person to sell a moped ~~for use on the public highways and streets of this State or operate a moped upon the public highways and streets of this State~~ without operable pedals if the moped is equipped with pedals, at least one rearview mirror, operable running lights, and brake lights which are operable when either brake is deployed. A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred dollars or imprisoned not more than thirty days.”

SECTION 3. Section 56‑5‑3730 of the 1976 Code is amended to read:

“Section 56‑5‑3730. The operator of a moped must have the operating lights turned on at all times while the moped is in operation ~~on the public highways and streets of this State~~.”

SECTION 4. Section 56‑5‑3750(B) of the 1976 Code is amended to read:

“(B) It is unlawful for a person to operate a moped without pedals ~~upon the public highways and streets of this State~~ without displaying the metal identification plate which must be attached to the vehicle. A person who violates the provisions of this subsection is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred dollars or imprisoned not more than thirty days.”

SECTION 5. Section 56‑5‑970(C)(5) of the 1976 Code, as added by Act 240 of 2008, is amended to read:

“(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 6. This act takes effect upon approval by the Governor.

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