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Indicates New Matter

COMMITTEE REPORT

January 23, 2014

**H. 4384**

Introduced by Reps. Whitmire and Ryhal

S. Printed 1/23/14--H. [SEC 1/24/14 1:03 PM]

Read the first time January 14, 2014.

**THE COMMITTEE ON EDUCATION AND PUBLIC WORKS**

To whom was referred a Bill (H. 4384) to amend Sections 56‑5‑3710, 56‑5‑3720, and 56‑5‑3730, Code of Laws of South Carolina, 1976, relating to the operation of a moped along the state’s highways, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 56‑5‑3710 of the 1976 Code is amended to read:

“Section 56‑5‑3710. (A) ~~No~~ A person may not ride upon a moped other than upon or astride a permanent and regular seat attached to the moped. ~~No~~ A moped may not be used to carry more persons at one time than the number for which it is designed and equipped.

(B) A person, while operating a moped, and his passenger must each wear a reflective vest that at a minimum is ANSI/ISEA Class 2 compliant in accordance with the standards of the American National Standards Institute.”

SECTION 2. Article 30, Chapter 5, Title 56 of the 1976 Code is amended by adding:

“Section 56‑5‑3715. It is unlawful for a person to operate a moped on the public roads in this State that have a speed limit of greater than forty‑five miles per hour. A moped is not prohibited from crossing an intersection at a public road with a speed limit in excess of forty‑five miles per hour.”

SECTION 3. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

PHILLIP D. OWENS for Committee.

**A** **BILL**

TO AMEND SECTIONS 56‑5‑3710, 56‑5‑3720, AND 56‑5‑3730, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OPERATION OF A MOPED ALONG THE STATE’S HIGHWAYS, SO AS TO PROVIDE THAT A PERSON OPERATING A MOPED AND HIS PASSENGER MUST WEAR REFLECTIVE VESTS, TO REQUIRE THAT A MOPED SOLD IN THIS STATE MUST BE EQUIPPED WITH A REAR RED TAIL LIGHT THAT FLASHES CONTINUALLY WHILE THE MOPED IS IN MOTION, AND TO REQUIRE A MOPED’S REAR RED TAIL LIGHT THAT FLASHES CONTINUALLY TO BE TURNED ON AT ALL TIMES WHILE THE MOPED IS IN OPERATION.

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

SECTION 1. Section 56‑5‑3710 of the 1976 Code is amended to read:

“Section 56‑5‑3710. (A) ~~No~~ A person may not ride upon a moped other than upon or astride a permanent and regular seat attached to the moped. ~~No~~ A moped may not be used to carry more persons at one time than the number for which it is designed and equipped.

(B) A person, while operating a moped, and his passenger must each wear a reflective vest that at a minimum meets the ANSI/ISEA Class I standard.”

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, and a rear red tail light that flashes continually while the moped is in motion. 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 and the rear red tail light that flashes continually turned on at all times while the moped is in operation on the public highways and streets of this State.”

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

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