~~Indicates Matter Stricken~~

Indicates New Matter

AMENDED

May 24, 2016

**S. 689**

Introduced by Senators Hembree and McElveen

S. Printed 5/24/16--H. [SEC 5/25/16 1:33 PM]

Read the first time April 13, 2016.

**A** **BILL**

TO AMEND SECTION 56‑1‑50(B)(2) AND (C) OF THE 1976 CODE, RELATING TO MOTOR VEHICLE BEGINNER’S PERMIT AND VEHICLE OPERATION, TO PROVIDE THAT A PERMITTEE MAY NOT OPERATE A MOTORCYCLE, MOTOR SCOOTER, OR LIGHT MOTOR‑DRIVEN CYCLE AT ANY UNPERMITTED TIME UNLESS SUPERVISED BY A LICENSED MOTORCYCLE, MOTOR SCOOTER, OR LIGHT MOTOR‑DRIVEN CYCLE OPERATOR AND TO PROVIDE THAT THE ACCOMPANYING DRIVER MUST BE WITHIN A SAFE VIEWING DISTANCE OF THE PERMITTEE WHEN THE PERMITTEE IS OPERATING A MOTORCYCLE OR A THREE‑WHEEL VEHICLE.

Amend Title To Conform

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

SECTION 1. Section 56‑1‑50(B)(2) and (C) of the 1976 Code is amended to read:

“(2) motorcycles~~, motor scooters, or light motor‑driven cycles of five‑brake horsepower or less~~ or mopeds after six o’clock a.m. and not later than six o’ clock p.m. However, beginning on the day that daylight saving time goes into effect through the day that daylight saving time ends, the permittee may operate ~~motor scooters or light motor‑driven cycles~~ motorcycles or mopeds after six o’clock a.m. and not later than eight o’clock p.m. ~~A permittee may not operate a motorcycle, motor scooter, or light motor‑driven cycle at any other time unless supervised by the permittee’s motorcycle licensed parent or guardian.~~ A permittee may not operate a motorcycle at any other time unless accompanied by a licensed motorcycle operator twenty-one years of age or older who has at least one year of driving experience. A permittee may not operate a moped at any other time unless accompanied by a licensed driver twenty-one years of age or older who has at least one year of driving experience.

(C) The accompanying driver must: ~~occupy a seat beside the permittee, except when the permittee is operating a motorcycle. A three‑wheel vehicle requires the accompanying driver to be directly behind the permittee on a saddle‑type seat or beside the permittee on a bench‑type seat.~~

(1) occupy a seat beside the permittee when the permitee is operating a motor vehicle; or

(2) be within a safe viewing distance of the permittee when the permitee is operating a motorcycle or a moped.”

SECTION 2. Section 56-5-3630 of the 1976 Code is amended to read:

“Section 56-5-3630. ~~(a)~~(A) A person operating a motorcycle shall ride only upon the permanent and regular seat attached thereto and the operator shall not carry any other person nor shall any other person ride on a motorcycle unless the motorcycle is designed to carry more than one person, in which event a passenger may ride upon the permanent and regular seat if designed for two persons, or upon another seat firmly attached to the motorcycle at the rear or side of the operator.

~~(b)~~(B) A person shall ride upon a motorcycle only while sitting astride the seat, facing forward, with one leg on each side of the motorcycle.

~~(c)~~(C) No person shall operate a motorcycle while carrying any package, bundle or other article which prevents him from keeping both hands on the handlebars.

~~(d)~~(D) No operator shall carry any person, nor shall any person ride, in a position that will interfere with the operation or control of the motorcycle or the view of the operator.

(E) No person shall ride upon a motorcycle as a passenger unless, when sitting astride the seat, the person can reach the footrests with both feet. Provided, the provisions of this section shall not apply to persons riding in a motorcycle sidecar.

~~(e)~~(F) No person riding upon a motorcycle shall attach himself or the motorcycle to any other vehicle on the roadway.”

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

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