AMENDED

April 9, 2019

**H. 3174**

Introduced by Reps. Elliott, Tallon, G.R. Smith, Taylor, Cogswell, Dillard, Norrell, Felder, Daning and Hixon

S. Printed 4/9/19--H.

Read the first time January 8, 2019.

**A** **BILL**

TO AMEND SECTION 56‑1‑10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS ASSOCIATED WITH THE POWERS AND DUTIES OF THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO PROVIDE DEFINITIONS FOR THE TERMS “ELECTRIC‑ASSIST BICYCLES” AND “BICYCLES WITH HELPER MOTORS”; AND BY ADDING SECTION 56‑5‑3520 SO AS TO PROVIDE THAT BICYCLISTS OPERATING ELECTRIC‑ASSIST BICYCLES SHALL BE SUBJECT TO ALL STATUTORY PROVISIONS APPLICABLE TO BICYCLISTS.

Amend Title To Conform

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

SECTION 1. Section 56‑1‑10 of the 1976 Code is amended by adding the following appropriately numbered item at the end:

“( ) ‘Electric‑assist bicycles’ and ‘bicycles with helper motors’ mean low-speed electrically assisted bicycles with two or three wheels, each having fully operable pedals and an electric motor of no more than 750 watts, or one horsepower, and a top motor-powered speed of less than twenty miles an hour when operated by a rider weighing one hundred seventy pounds on a paved level surface, that meet the requirements of the Federal Consumer Product Code provided in 16 C.F.R., Part 1512, and that operate in a manner such that the electric motor disengages or ceases to function when their brakes are applied. Manufacturers and distributors of electric-assist bicycles shall apply a label that is affixed permanently, in a prominent location, to each electric-assist bicycle, indicating its wattage and maximum electrically assisted speed. The owner or user of an electric-assist bicycle shall not remove or tamper with the label. If a user tampers with or modifies an electric-assist bicycle, changing the speed capability, he must replace the label indicating the vehicle’s wattage or horsepower. Electric-assist bicycles and bicycles with helper motors are not mopeds.

SECTION 2. Article 27, Chapter 5, Title 56 of the 1976 Code is amended by adding:

“Section 56‑5‑3520. Bicyclists operating bicycles with helper motors, as defined in Section 56‑1‑10, are subject to all statutory provisions applicable to bicyclists, as provided in Section 56‑5‑3420.”

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

‑‑‑‑XX‑‑‑‑