**South Carolina General Assembly**

123rd Session, 2019-2020

**A114, R116, H3174**

**STATUS INFORMATION**

General Bill

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

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Introduced in the House on January 8, 2019

Introduced in the Senate on April 10, 2019

Last Amended on January 15, 2020

Passed by the General Assembly on January 21, 2020

Governor's Action: February 3, 2020, Signed

Summary: Bicycles, electric-assisted

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 12/18/2018 House Prefiled

 12/18/2018 House Referred to Committee on **Education and Public Works**

 1/8/2019 House Introduced and read first time ([House Journal‑page 117](file:///h%3A%5Chj%5C20190108.docx))

 1/8/2019 House Referred to Committee on **Education and Public Works** ([House Journal‑page 117](file:///h%3A%5Chj%5C20190108.docx))

 1/15/2019 House Member(s) request name added as sponsor: Felder

 1/17/2019 House Member(s) request name added as sponsor: Daning, Hixon

 4/3/2019 House Committee report: Favorable with amendment **Education and Public Works** ([House Journal‑page 4](file:///h%3A%5Chj%5C20190403.docx))

 4/4/2019 Scrivener's error corrected

 4/9/2019 House Amended ([House Journal‑page 87](file:///h%3A%5Chj%5C20190409.docx))

 4/9/2019 House Read second time ([House Journal‑page 87](file:///h%3A%5Chj%5C20190409.docx))

 4/9/2019 House Roll call Yeas‑107 Nays‑1 ([House Journal‑page 88](file:///h%3A%5Chj%5C20190409.docx))

 4/10/2019 House Read third time and sent to Senate ([House Journal‑page 11](file:///h%3A%5Chj%5C20190410.docx))

 4/10/2019 Senate Introduced and read first time ([Senate Journal‑page 13](file:///h%3A%5Csj%5C20190410.docx))

 4/10/2019 Senate Referred to Committee on **Transportation** ([Senate Journal‑page 13](file:///h%3A%5Csj%5C20190410.docx))

 4/10/2019 Scrivener's error corrected

 4/25/2019 Senate Committee report: Favorable with amendment **Transportation** ([Senate Journal‑page 4](file:///h%3A%5Csj%5C20190425.docx))

 5/8/2019 Senate Committee Amendment Adopted ([Senate Journal‑page 85](file:///h%3A%5Csj%5C20190508.docx))

 5/8/2019 Senate Amended ([Senate Journal‑page 85](file:///h%3A%5Csj%5C20190508.docx))

 5/8/2019 Senate Read second time ([Senate Journal‑page 85](file:///h%3A%5Csj%5C20190508.docx))

 5/8/2019 Senate Roll call Ayes‑42 Nays‑1 ([Senate Journal‑page 85](file:///h%3A%5Csj%5C20190508.docx))

 5/9/2019 Senate Read third time and returned to House with amendments ([Senate Journal‑page 13](file:///h%3A%5Csj%5C20190509.docx))

 5/9/2019 House Debate adjourned on amendments

 1/15/2020 House Senate amendment amended ([House Journal‑page 137](file:///h%3A%5Chj%5C20200115.docx))

 1/15/2020 House Returned to Senate with amendments ([House Journal‑page 137](file:///h%3A%5Chj%5C20200115.docx))

 1/21/2020 Senate Concurred in House amendment and enrolled ([Senate Journal‑page 18](file:///h%3A%5Csj%5C20200121.docx))

 1/21/2020 Senate Roll call Ayes‑42 Nays‑0 ([Senate Journal‑page 18](file:///h%3A%5Csj%5C20200121.docx))

 1/29/2020 Ratified R 116 ([Senate Journal‑page 36](file:///h%3A%5Csj%5C20200129.docx))

 2/3/2020 Signed By Governor

 2/5/2020 Effective date 02/03/20

 2/7/2020 Act No.  114

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=3174&session=123&summary=B) at the website

**VERSIONS OF THIS BILL**

[12/18/2018](file:///p%3A%5Cpprever%5C2019-20%5C3174_20181218.docx)

[4/3/2019](file:///p%3A%5Cpprever%5C2019-20%5C3174_20190403.docx)

[4/4/2019](file:///p%3A%5Cpprever%5C2019-20%5C3174_20190404.docx)

[4/9/2019](file:///p%3A%5Cpprever%5C2019-20%5C3174_20190409.docx)

[4/10/2019](file:///p%3A%5Cpprever%5C2019-20%5C3174_20190410.docx)

[4/25/2019](file:///p%3A%5Cpprever%5C2019-20%5C3174_20190425.docx)

[5/8/2019](file:///p%3A%5Cpprever%5C2019-20%5C3174_20190508.docx)

[1/15/2020](file:///p%3A%5Cpprever%5C2019-20%5C3174_20200115.docx)

(A114, R116, H3174)

**AN ACT 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 BICYCLES WITH HELPER MOTORS ARE SUBJECT TO ALL STATUTORY PROVISIONS APPLICABLE TO BICYCLISTS.**

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

**Department of Motor Vehicles, definitions, electric‑assist bicycles, bicycles with helper motors**

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

 “( ) ‘Electric‑assist bicycles’ and ‘bicycles with helper motors’ means 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 or the rider stops pedaling. 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.”

**Applicability**

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.”

**Time effective**

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

Ratified the 29th day of January, 2020.

Approved the 3rd day of February, 2020.

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