**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 56‑3‑115 AND 56‑5‑3715 SO AS TO PROVIDE THAT A MOPED MUST BE REGISTERED, CARRY LIABILITY INSURANCE, AND MAY NOT BE OPERATED ON A PUBLIC ROAD THAT HAS A SPEED LIMIT GREATER THAN THIRTY‑FIVE MILES AN HOUR; TO AMEND SECTIONS 56‑1‑1720 AND 56‑1‑1730, RELATING TO THE OPERATION OF MOPEDS ALONG THE STATE’S HIGHWAYS, SO AS TO MAKE TECHNICAL CHANGES, AND TO PROVIDE THAT A PERSON WHOSE DRIVER’S LICENSE HAS BEEN SUSPENDED MAY NOT BE ISSUED A MOPED OPERATOR’S LICENSE OR ALLOWED TO OPERATE A MOPED DURING HIS PERIOD OF SUSPENSION.

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

SECTION 1. Article 3, Chapter 3, Title 56 of the 1976 Code is amended by adding:

“Section 56‑3‑115. Notwithstanding another provision of law, for the purposes of registration and the required limits of liability insurance, a moped is a motor vehicle.”

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 thirty‑five miles per hour.”

SECTION 3. Section 56‑1‑1720 of the 1976 Code is amended to read:

“Section 56‑1‑1720. ~~Until January 1, 1987, 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~~ 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~~. 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 Section 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 4. Section 56‑1‑1730 of the 1976 Code is amended to read:

“Section 56‑1‑1730. A person ~~is eligible for a moped operator’s license without regard to his eligibility for or the status of any other driver’s license or permit~~ may not be issued a moped operator’s license if his driver’s license has been suspended for any reason. The Department of Motor Vehicles may suspend, revoke, or cancel a moped operator’s license only for violations committed while operating a moped. A moped operator’s license may be suspended, revoked, or canceled in the same manner and upon the same grounds for which any other motor vehicle operator’s license or permit may be suspended, revoked, or canceled.”

SECTION 5. This act takes effect upon approval by the Governor.

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