

1973 WL 26567 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

January 2, 1973

**\*1 Re: Pedal bicycles with helper motors.**

Direzione Vendite Estero  
Piaggio & C.  
Spoieta Per Azioni  
Oapitale Soaiate L. 5,000,000,000  
Interamente Versata, Sede E. Direzione Generale  
Genova Vice Antenio Ceesh 6  
Italy

Dear Sir:

Thank you for your letter of December 13, 1972. You inquired as to any South Carolina statute which would include the below described two wheel bicycle from the motor-driven cycle categories.

Pedal bicycles with helper motors rated less than one brake horsepower transmitted by friction and not by gear or chain which produce only ordinary pedaling speeds up to a maximum of twenty miles per hour.

I have been unable to find any South Carolina statute which would exclude the above described bicycle, and I do not know of any proposed amendments to our present statutes which would effect the classification of your bicycle.

It is my opinion that under the present South Carolina law, your machine would be classified as a 'motor-driven cycle.

Section 46-214, South Carolina Code of Laws states:

Every motorcycle, including every motor scooter, with a motor which produces not to exceed five horsepower, and every bicycle with a motor attached is a 'motor-driven cycle.'

As your bicycle will be classified as a 'motor-driven cycle,' it will have to be licensed, and will have to meet our state safety inspection standards. The driver of this bicycle will also have to be licensed under South Carolina law to operate the bicycle on any public or State roads, and then only on roads where the bicycle can meet the minimum posted speeds.

If I can be of any further assistance to you, please do not hesitate to call upon me.

Sincerely,

Joseph C. Good, Jr.  
Assistant Attorney General

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