

1973 S.C. Op. Atty. Gen. 316 (S.C.A.G.), 1973 S.C. Op. Atty. Gen. No. 3638, 1973 WL 21090

Office of the Attorney General

State of South Carolina

Opinion No. 3638

October 3, 1973

***1 In Re: Bicycles, Defined by Act R489 of 1973**

Colonel P. F. Thompson
Commanding Officer
State Highway Patrol
Post Office Drawer 1498
Columbia, South Carolina 29202

Dear Colonel Thompson:

You have inquired whether or not a bicycle equipped with a helper motor transmitting power by means of a belt and pulley comes within the definition of 'bicycle' set out in Act R489, 1973. The Act includes within the term 'bicycle' those equipped with less than one horsepower helper motors where the power is 'transmitted by friction and not by gear or chain'.

It is the opinion of this Office that a bicycle equipped so that the power is transmitted by belt and pulley does not come within the term 'bicycle' as used in Sections 46-139 and 46-215. The exception provided by Act R489 applies only when the power is 'transmitted by friction', which is not the case when a belt and pulley are used.

Very truly yours,

Joseph C. Coleman
Deputy Attorney General

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