## South Carolina Laws on Biking & Walking

The PCC has lobbied for many of these South Carolina laws.

#### SOUTH CAROLINA BICYCLE LAWS—ARTICLE 27

Below are SC laws relating to people on bikes. You can also find answers to commonly asked questions here. If in doubt or with specific questions about South Carolina bicycle laws, don't hesitate to contact Peter Wilborn of Bikelaw. He is a full-time attorney representing bicyclists (and pedestrians) and available to discuss South Carolina bicycle laws.

The provisions of this article are applicable to bicycles whenever a bicycle is operated upon any highway or upon any path set aside for

the exclusive use of bicycles, subject to those exceptions stated in this article. SECTION 56-5-3420. This reviews how bicycles should generally be

A person riding a bicycle upon a roadway must be granted all of the rights and is subject to all of the duties applicable to the driver of a

vehicle by this chapter, except as to special provisions in this article and except as to those provisions of this chapter which by their nature can have no application. **SECTION 56-5-3425.** This section defines bicycle lanes and how they

are intended to be used. (A) For purposes of this section, "bicycle lane" means a portion of the roadway or a paved lane separated from the roadway that has been designated by striping, pavement markings, and signage for the

preferential or exclusive use of bicyclists.

(B) Whenever a bicycle lane has been provided adjacent to a roadway, operators of: (1) motor vehicles may not block the bicycle lane to oncoming bicycle traffic and shall yield to a bicyclist in the bicycle lane before entering or

crossing the lane; and (2) bicycles are required to ride in the bicycle lane except when necessary to pass another person riding a bicycle or to avoid an

obstruction in the bicycle lane. However, bicyclists may ride on the roadway when there is only an adjacent recreational bicycle path available instead of a bicycle lane.

bicyclist should ride. (A) Except as provided in subsection (B), every bicyclist operating a bicycle upon a roadway shall ride as near to the right side of the roadway as practicable. A bicyclist may, but is not required to, ride on the shoulder of the roadway in order to comply with the requirements of

this subsection. (B) A bicyclist may ride in a lane other than the right-hand lane if only

(C) When operating a bicycle upon a roadway, a bicyclist must exercise due care when passing a standing vehicle or one proceeding in the same direction. (D) Bicyclists riding bicycles upon a roadway shall not ride more than two abreast except on paths or parts of roadways set aside for the

**SECTION 56-5-3435.** This states that a car must operate at a safe distance from the bicyclist. A driver of a motor vehicle must at all times maintain a safe operating

A bicyclist propelling a bicycle may not ride other than upon or astride a permanent and regular seat attached to the bicycle. No bicycle may be used to carry more persons at one time than the number for which it is

designed and equipped. **SECTION 56-5-3445.** This section, also new, makes the harassing or throwing of an object at person riding bicycle unlawful.

direction of any person riding a bicycle. A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not less than two hundred fifty dollars or imprisoned not more than thirty days, or both. **SECTION 56-5-3450.** This prohibits bicyclists from clinging to a car.

It is unlawful to harass, taunt, or maliciously throw an object at or in the

A bicyclist operating a bicycle may not carry any package, bundle, or article that prevents the rider from keeping at least one hand upon the handle bars. SECTION 56-5-3470. This section describes lights and reflector use on

**SECTION 56-5-3460.** This prohibits the carrying of belongings on a bike.

must be visible from all distances from fifty feet to three hundred feet to the rear when directly in front of the lawful upper beams of head lamps on a motor vehicle. A lamp emitting a red light visible from a distance of

five hundred feet to the rear may be used in addition to the red reflector.

**SECTION 56-5-3480.** This section describes the use of hand signals. (A)(1) A bicyclist shall indicate a right turn by extending the left arm upward, by raising the left arm to the square, or by extending the right arm horizontally to the right. (2) A bicyclist shall indicate a left turn by extending the left arm horizontally. (3) A bicyclist shall indicate stopping or decreasing speed by extending the left arm or the right arm downward.

(C) A violation of this section is punishable by a fine of twenty-five SECTION 56-5-3490. This section describes the use of a brake on a bike. A bicycle must be equipped with a brake that will enable the bicyclist to

(B) A bicyclist is not required to give signals provided for in subsection

(B) In the absence of another violation being cited, a person driving a motor vehicle who violates a provision of this article and the violation is the proximate cause of a:

(1) minor injury to a bicyclist, must be assessed a civil fine of up to five

(2) great bodily injury, as defined in Section 56-5-2945, to a bicyclist, must be assessed a civil fine of not more than one thousand dollars. **SECTION 56-5-3515.** This section makes considerations for authorized police patrol bicycles.

56-5-4970 or visual signals meeting the requirements of Section 56-5-4700. **SECTION 56-5-3520** This section defines the rights and duties of ebikes. Bicyclists operating bicycles with helper motors, as defined in Section 56-1-10 [below], are subject to all statutory provisions applicable to

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.

#### **25 AND OTHERS SECTION 56-5-390**. This section defines a pedestrian.

**SOUTH CAROLINA PEDESTRIAN LAWS - ARTICLE** 

**SECTION 56-5-510.** This section defines a safety zone as for pedestrians.

A "safety zone" is an area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

different colored lights or colored lighted arrows, successively one at a time or in combination, only the colors, green, red, and yellow, shall be used except for special pedestrian signals carrying a word legend. **SECTION 56-5-1520**. This section prescribes reduced speed for vehicles

(F) The driver of a vehicle shall drive, consistent with the requirements of subsection (A), at an appropriate reduced speed when approaching and crossing an intersection or railway grade crossing, when

approaching and going around a curve, approaching a hillcrest, when traveling upon any narrow bridge, narrow or winding roadway, and when special hazard exists with respect to pedestrians or other traffic or by reason of weather or highway conditions. **SECTION 56-5-2735**. This section prohibits motor vehicles from blocking a crosswalk for pedestrians.

driver shall enter an intersection or a marked crosswalk or drive onto a railroad grade crossing unless there is sufficient space on the other side

(A) Notwithstanding the indication of a traffic signal to proceed, no

the passage of other vehicles, pedestrians, or railroad trains. **ARTICLE 25** SECTION 56-5-3110. This section prescribes pedestrian obedience to traffic-control devices and traffic regulations. (a) A pedestrian shall obey the instructions of any official traffic-control

### device specifically applicable to him unless otherwise directed by a

police officer. (b) Pedestrians shall be subject to traffic and pedestrian-control signals as provided in Sections 56-5-970 and 56-5-990.

(c) At all other places pedestrians shall be accorded the privileges and shall be subject to the restrictions stated in this chapter.

comply with the directions of any official traffic-control signal and may

SECTION 56-5-3130. This section prescribes the pedestrians' right-ofway in crosswalks. (a) When traffic-control signals are not in place or not in operation the driver of a vehicle shall yield the right-of-way, slowing down or stopping

and walk or run into the path of a vehicle which is so close as to constitute an immediate hazard. (c) Subsection (a) shall not apply under the conditions stated in (d) Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross

**SECTION 56-5-3150.** This section prescribes pedestrian rights outside of crosswalks. (a) Every pedestrian crossing a roadway at any point other than within

SECTION 56-5-3140. This section prescribes how pedestrians shall travel

Pedestrians shall move, whenever practicable, upon the right half of

in crosswalks.

crosswalks.

highways.

assistance.

vehicle.

dog.

intoxicated person.

authorized emergency vehicle.

avoid colliding with any pedestrian.

under influence of alcohol or drugs.

a marked crosswalk or within an unmarked crosswalk at an intersection

in operation pedestrians shall not cross at any place except in a marked

authorized by official traffic-control devices and when authorized to cross diagonally pedestrians shall cross only in accordance with the official traffic-control devices pertaining to such crossing movements.

**SECTION 56-5-3160**. This section prescribes pedestrian behavior on

(a) Where a sidewalk is provided and its use is practicable, it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway.

(A) No person as a pedestrian, unless otherwise directed by a law enforcement officer, shall occupy any space within the limits of the

roadway and shoulder of the main facility of a freeway, except to

perform public works or official duties, as a result of an emergency

caused by an accident or breakdown of a motor vehicle, or to obtain

The prohibitions imposed by this subsection on the use of freeways do

(B) A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than one (a) No person shall stand in a roadway for the purpose of soliciting a

purpose of soliciting the watching or guarding of any vehicle while parked or about to be parked on a street or highway. **SECTION 56-5-3190**. This section prescribes the use of canes for pedestrians.

(c) No person may stand on or in proximity to a street or highway for the

pedestrians guided by dog or raising cane. Whenever a pedestrian is crossing or attempting to cross a public street or highway, guided by a guide dog or carrying in a raised or extended

Sections 56-5-2720, 56-5-3190, or 56-5-3200. A person who violates any of the provisions of Sections 56-5-3190, 56-5-3200, or 56-5-2720 is guilty of a misdemeanor and, upon conviction, must be punished by a fine not exceeding twenty-five dollars or imprisonment for not exceeding ten days. **SECTION 56-5-3220**. This section prescribes the effect of failure of

incapacitated person to carry walking stick or cane, or to be guided by

incapacitated person not carrying such a cane or walking stick or not

being guided by a dog of the rights and privileges conferred by law

Nothing contained in Sections 56-5-3190 and 56-5-3200 shall be

construed to deprive any totally or partially blind or otherwise

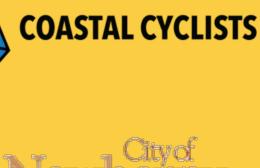
**SECTION 56-5-3230.** This section prescribes the duty of drivers to exercise due care to pedestrians (and bicyclists). Notwithstanding other provisions of any local ordinance, every driver of

No vehicle shall at any time be driven through or within a safety zone. **SECTION 56-5-3250**. This section prescribes the right-of-way for pedestrians on sidewalks. The driver of a vehicle crossing a sidewalk shall yield the right-of-way to any pedestrian and all other traffic on the sidewalk. **SECTION 56-5-3260**. This section prescribes the duty of pedestrians to yield to authorized emergency vehicles. (a) Upon the immediate approach of an authorized emergency vehicle making use of an audible signal meeting the requirements of Section

**SECTION 56-5-3240**. This section prohibits driving through safety zones.

A pedestrian who is under the influence of alcohol, or any drug, to a degree which renders himself a hazard shall not walk or be upon a highway except a sidewalk. **SECTION 56-5-3280**. This section prescribes pedestrian behavior at bridge and railroad signals.

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# Any person afoot is a "pedestrian."

approaching pedestrians.

**SECTION 56-5-970.** This section defines a Traffic-control signal legend. Whenever traffic is controlled by traffic-control signals exhibiting

of the intersection, crosswalk, or railroad grade crossing to accommodate the vehicle the driver is operating without obstructing

**SECTION 56-5-3120**. This section enables local regulations. Local authorities may by ordinance require that pedestrians shall strictly

if need be to yield to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon

subsection (b) of Section 56-5-3150. the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle.

shall yield the right-of-way to all vehicles upon the roadway. (b) Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield

(d) No pedestrian shall cross a roadway intersection diagonally unless

(b) Where a sidewalk is not available any pedestrian walking along and upon a highway shall walk only on a shoulder as far as practicable from

walk only on the left side of the roadway. (d) Except as otherwise provided in this chapter, any pedestrian upon a roadway shall yield the right-of-way to all vehicles upon the roadway. **SECTION 56-5-3170**. This section prohibits pedestrians on freeways.

hundred dollars or imprisoned not more than thirty days. SECTION 56-5-3180. This section prohibits hitchhiking. ride. (b) Except when authorized by the provisions of Section 5-27-910, no

person shall stand on a highway for the purpose of soliciting

employment, business, or contributions from the occupant of any

It is unlawful for any person, unless totally or partially blind or otherwise incapacitated, while on any public street or highway to carry in a raised or extended position a cane or walking stick which is white in color or white tipped with red.

**SECTION 56-5-3200**. This section prescribes vehicle behavior for

necessary to avoid injuring such pedestrian. **SECTION 56-5-3210**. This section prescribes penalties for violating

a vehicle shall exercise due care to avoid colliding with any pedestrian or any person propelling a human-powered vehicle and shall give an audible signal when necessary and shall exercise proper precaution upon observing any child or any obviously confused, incapacitated or

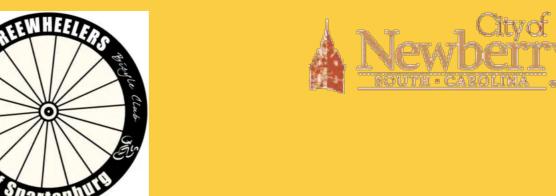
56-5-4970 and visual signals meeting the requirements of Section 56-5-4700, or of a police vehicle properly and lawfully making use of an

(a) No pedestrian shall enter or remain upon any bridge or approach thereto beyond the bridge signal, gate or barrier after a bridge operation signal indication has been given. (b) No pedestrian shall pass through, around, over or under any

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**SECTION 56-5-3410.** This section reviews how these laws apply to bicyclists.

used on a roadway.

SECTION 56-5-3430. This section reviews where on a roadway a

one lane is available that permits the bicyclist to continue on his intended route.

exclusive use of bicycles.

distance between the motor vehicle and a bicycle. **SECTION 56-5-3440.** This section describes how bicycles should be ridden and used.

A person riding upon any bicycle, coaster, roller skates, sled, or toy vehicle may not attach it or them or himself to a vehicle upon a

roadway.

bicycle. A bicycle when in use at nighttime must be equipped with a lamp on the front which must emit a white light visible from a distance of at least five hundred feet to the front and with a red reflector on the rear that

(A) continuously if the hand or arm is needed to control the bicycle. dollars. make the braked wheels skid on dry, level, clean pavement. A violation of this section is punishable by a fine of twenty-five dollars.

hundred dollars; or

20 miles an hour when operated by a rider weighing 175 pounds on a

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articles and penalties. (A) Except as otherwise provided, in the absence of another violation being cited, a violation of this article by the driver of a motor vehicle is

subject to a civil fine of up to one hundred dollars unless a bicyclist is

SECTION 56-5-3500. This section further describes the violation of these

(A) An authorized police patrol bicycle used as a part of a police bicycle patrol may exercise the privileges of an emergency vehicle provided in Section 56-5-760.

(B) An authorized police patrol bicycle may be equipped with a siren or

the officer may utilize a whistle in the performance of his duties, or both.

(C) Notwithstanding the provisions of Section 56-5-760(C), an

authorized police patrol bicycle acting as an emergency vehicle is

entitled to the exemptions of an authorized emergency vehicle if it

makes use of an audible signal meeting the requirements of Section

SECTION 56-1-10 (29) This section defines an e-bike. Electric-assist bicycles" and "bicycles with helper motors" means lowspeed 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

bicyclists, as provided in Section 56-5-3420.

injured as a result of the violation.

paved level surface, that meet the requirements of the Federal Consumer Product Code provided in 16 C.F.R., Part 1512, and that operate

by ordinance prohibit pedestrians from crossing any roadway in a business district or any designated highways except in a crosswalk.

which the vehicle is traveling or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger. (b) No pedestrian shall suddenly leave a curb or other place of safety

the right-of-way to all vehicles upon the roadway. (c) Between adjacent intersections at which traffic-control signals are crosswalk.

the edge of the roadway. (c) Where neither a sidewalk nor a shoulder is available, any pedestrian walking along and upon a highway shall walk as near as practicable to an outside edge of the roadway and, if on a two-way roadway, shall

not apply to service roads alongside the highways.

position a cane or walking stick which is white in color or white tipped with red, the driver of every vehicle approaching the intersection or place where such pedestrian is attempting to cross shall bring his vehicle to a full stop before arriving at such intersection or place of crossing and before proceeding shall take such precautions as may be

upon pedestrians crossing streets or highways, nor shall the failure of such totally or partially blind or otherwise incapacitated person to carry a cane or walking stick or to be guided by a guide dog upon the streets, highways, or sidewalks of this State to be held to constitute or be evidence of contributory negligence.

audible signal only, every pedestrian shall yield the right-of-way to the

(b) This section shall not relieve the driver of an authorized emergency

vehicle from the duty to drive with due regard for the safety of all

persons using the highway nor from the duty to exercise due care to

**SECTION 56-5-3270**. This section prescribes the duties of pedestrians