



MAKING SC BIKE FRIENDLY FOR 20 YEARS!



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## South Carolina Bike Laws

The PCC lobbied for the new South Carolina bicycle laws in 2008. These bike safety laws are a major step forward for better biking in SC.

### SOUTH CAROLINA BICYCLE LAWS—ARTICLE 27

As vulnerable road users, bicyclists should be aware of South Carolina bicycle laws. The fundamentals of bicycle law are quite simple, but the details of the law are quite complex. Below are the sections within South Carolina law that impact bicycle users. You will also find a few answers to commonly asked questions about rights and responsibilities of those traveling on South Carolina roadways on our Safe Streets campaign website.

If in doubt or with specific questions about South Carolina bicycle laws, do not hesitate to contact Peter Wilborn of Bikelaw, our Safe Streets team partner. He is a full-time bicycle attorney and is always available to discuss South Carolina bicycle laws at peter@bikelaw.com or 843-416-9060. You can also visit his website here: The Law Office of Peter Wilborn.

For a great review of how the 2008 reform to the South Carolina bicycle laws changed bicycling in South Carolina, review this summary written by Bike Law.

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

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 used on a roadway.

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.

#### SECTION 56-5-3430. This section reviews where on a roadway a 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 one lane is available that permits the bicyclist to continue on his intended route.

(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 exclusive use of bicycles.

#### SECTION 56-5-3435. This is a new statute; it 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 distance between the motor vehicle and a bicycle.

#### SECTION 56-5-3440. This section describes how bicycles should be ridden and used.

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.

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

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.

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

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 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 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.

(B) A bicyclist is not required to give signals provided for in subsection (A) continuously if the hand or arm is needed to control the bicycle.

(C) A violation of this section is punishable by a fine of twenty-five dollars.

#### 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 make the braked wheels skid on dry, level, clean pavement. A violation of this section is punishable by a fine of twenty-five dollars.

#### SECTION 56-5-3500. This section further describes the violation of these 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 injured as a result of the violation.

(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 hundred dollars; or

(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.

(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 56-5-4970 or visual signals meeting the requirements of Section 56-5-4700.



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