



Ratification
Number 2026-089

AN ORDINANCE

AN ORDINANCE TO REPEAL AND REPLACE CHAPTER 19-MOTOR VEHICLES AND TRAFFIC; ARTICLE V-BICYCLES, MOTORCYCLES AND CERTAIN VEHICLES; DIVISION 3-REGULATIONS APPLICABLE TO BICYCLES and AMEND DIVISION 4-REGULATION OF CERTAIN VEHICLES; ARTICLE VI-MOPEDS; DIVISION 1-GENERALLY. (AS AMENDED)

WHEREAS, The growing popularity of E-bikes city-wide, compounded with the surge of complaints coming from residents of Daniel Island regarding young children riding these E-bikes in a reckless manner on sidewalks and multi-use paths has caused City Council to consider a pilot program banning E-bikes to protect the safety of residents and visitors;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CHARLESTON, SOUTH CAROLINA, ASSEMBLED, that:

Section 1: Amendments; In General. Sections 19-121 through 19-130 are hereby repealed and replaced with the following:

DIVISION 3. REGULATIONS APPLICABLE TO BICYCLES AND E-BIKES

Sec. 19-120. Definitions, for purposes of this Section.

- (a) ***Assistive Technology Device*** means any piece of equipment, including, but not limited to, manual wheelchairs, motorized wheelchairs, and other mobility aids for moving, walking, standing, sitting, and positioning.
- (b) ***Bicycle*** means a device propelled solely by pedals, operated by one or more persons, and having two or more wheels, except children's tricycles.
- (c) ***On-Road Bike Facilities*** means infrastructure improvements within the street right-of-way designed to support, separate, and enhance the safety of bicyclists. They provide dedicated space—via striping, barriers, or signage—to reduce conflicts with motorists. Types include bike lanes, buffered lanes, paved shoulders, and bicycle boulevards.

(d) **E-bikes**, also referred to as "Electric-assist bicycles" and "bicycles with helper motors" means low-speed electrically assisted bicycles with two or more wheels, each having fully operable pedals and an electric motor of no more than 750 watts, or one horsepower. (See, S.C. Code § 56-1-10).

(e) **E-moto**: This term is not officially recognized in the South Carolina law; however, as it relates to this Section, E-Moto applies to all electric powered devices built on a bicycle-style frame equipped with one or more operating modes and a throttle, having an electric motor with a power output exceeding seven hundred and fifty (750) watts, and is capable of exceeding twenty (20) mph using only the throttle. While these types of devices are not specifically defined by state law, depending on their design and motor size, they would be classified as either mopeds or motorcycles and subject to all state and federal laws and regulations related to mopeds or motorcycles. Some examples of E-Motos would be electric dirt bikes and electric mini bikes.

(f) **Reckless Manner** means operating with a conscious, willful, or wanton disregard for the safety of persons or property. It involves behavior that creates a substantial and unjustifiable risk to the rider, pedestrians, or other road users. This includes, but is not limited to excessive speed, dangerous maneuvers (ie: wheelies), disregard for rules, and impaired riding.

(g) **Shared-Use Path** means a sidewalk designated by the Traffic and Transportation Department as a shared-use path measuring at least eight (8) feet in width (Sec. 19-125).

(h) **Multi-Use Path** means a bikeway physically separated from motorized vehicular traffic by an open space or barrier and either within the highway right-of-way or within an independent right-of-way. Multi-use paths may also be used by pedestrians, skaters, wheelchair users, joggers, and other non-motorized users (Sec. 54-120).

Sec. 19-121. Traffic laws apply to persons riding bicycles and E-bikes

(a) Every person riding a bicycle or E-bike upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by the laws of this state declaring rules of the road applicable to vehicles or by the traffic regulations of this city applicable to the driver of a vehicle, except as to special regulations in this article and except as to those provisions of laws and regulations which by their nature can have no application.

(b) Any person operating a bicycle or E-bike shall obey the instructions of official traffic control signals, signs and other control devices applicable to vehicles, unless otherwise directed by a police officer.

(c) Whenever authorized signs are erected indicating that no right or left or U-turn is permitted, no person operating a bicycle or E-bike may disobey the direction of any such sign, except where such person dismounts from the bicycle or E-bike to make any such turn, in which event such person shall then obey the regulations applicable to pedestrians.

Sec. 19-122. Prohibited Parking.

(a) **Parking prohibited:**

- (1) A bicycle or E-bike may not be secured or otherwise locked to street trees, street lights, stop signs, parking meters, boat docks, legal encroachments, or public property located in the public right-of-way of King Street between Spring Street and Market Street.
- (2) Bicycles or E-bikes may not be secured or otherwise locked or placed on private property in a manner where any portion of the bicycle or E-bike intrudes into the public right-of-way on King Street between Spring Street and Market Street.
- (3) City police or parking enforcement officers on bicycles or E-bikes ("enforcement officers") shall be exempt from the above-described restriction when in the course and scope of their duties they determine that parking in such a manner is necessary to perform their official duties.

(b) ***Penalties for Parking Violations:***

- (1) Owners or operators of bicycle or E-bike parked in violation of paragraph (a) shall be subject to the following infractions:
 - a. A police officer, code enforcement officer or parking enforcement officer may confiscate by removal or by adding a city lock to the illegally parked bicycle or E-bike.
 - i. A confiscated bicycle or E-bike shall be released upon proof of ownership and the payment of a Forty-Dollars (\$45.00) fee for removal and storage.
 - ii. Bicycles or E-bikes remaining in the city's custody without identification of ownership and the payment of the fee as set forth above after a period of 30 days, shall be deemed to be abandoned and shall be disposed of in accordance with the law.
- (2) The city shall bear no responsibility to the owner or operator for loss of or damage to a confiscated bicycle or E-bike, including any chain or locking mechanism, in its enforcement of this section.

Sec. 19-123. Abandoned bicycles or E-bikes.

- (a) It shall be unlawful for any person to abandon any bicycle or E-bike on any public right-of-way or on any public property within the city. A bicycle or E-bike shall be deemed abandoned if it:
 - (1) is in such a state of disrepair as to be incapable of being operated in its present condition; or
 - (2) has not been moved or used in more than seven (7) days and bears physical indicia of having been abandoned.
- (b) Any bicycle or E-bike deemed abandoned pursuant to subsection (a) of this section shall have a notice affixed to it which informs the owner that the bicycle or E-bike appears to be abandoned. The notice shall indicate: (1) a telephone number for the owner to call to inform the city that the bicycle or E-bike is not abandoned; and (2) the date after which the bicycle or E-bike may be removed if it is not claimed by its owner. The owner has seven (7) days of the affixing of a notice of abandonment, to notify the city; otherwise, the property will be considered abandoned and disposed of by discarding, donation, auction or any other manner deemed appropriate by the city.

Sec. 19-124. Riding on sidewalks, on-road bike facilities, multi-use or shared-use paths.

- (a) **On-Road Bike Facilities:** E-bikes, or any similar devices, are allowed on all on-road bike facilities in the city.
- (b) **Sidewalks:** E-bikes, or any similar devices, are not allowed on sidewalks in the city.
- (c) **Multi-Use and Shared-Use Paths:** E-bikes, or any similar devices, are allowed on multi-use and shared-use paths, in the city, except on Daniel Island.
- (d) Assistive Technology Devices are allowed on sidewalks, multi-use and shared-use paths in the city.
- (e) Pedicabs (Sec. 19-462) are not allowed on any sidewalk, on-road bike facilities, multi-use or shared-use path in the city.
- (f) Bicycles are allowed on on-road bike facilities, shared-used and multi-use paths in the city. No person shall ride or operate a bicycle upon any sidewalk in the city except in the following circumstances:
 - (1) Children the age of twelve (12) and under may ride a bicycle having a wheel diameter of twenty-four (24) inches or less on any sidewalk except as otherwise herein prohibited.
 - (2) Where the sidewalk is designated by the traffic and transportation department as a shared-use path measuring at least eight (8) feet in width; however, this exemption does not apply to the elevated sidewalk sections of Murray Blvd. and East Battery Streets, also known as the battery seawall, where bicycle traffic is prohibited.
 - (3) Where the adjacent highway has a posted speed limit of thirty-five (35) miles per hour or more, adults and children may ride a bicycle on the adjacent sidewalk except as otherwise herein prohibited or if there is a dedicated bicycle lane on the adjacent highway.
- (g) A police or code enforcement officer may operate a bicycle or E-bike on the sidewalk, shared-use or multi-use paths when in the course and scope of their duties they determine in good faith that riding or operating a bicycle or E-bike on the sidewalk is necessary to perform their official duties.
- (h) Any person permitted in the above subsections to ride or operate upon a sidewalk, on-road bike facility, shared-use or multi-use path shall not operate in a Reckless Manner, as defined herein, and shall at all times exercise due care and yield the right-of-way to pedestrians and other vehicular traffic.

Sec. 19-125. Enforcement

- (a) Upon violation of any provision of this section, the officer has the discretion to contact the parent, legal guardian or other responsible adult if such offender is under the age of 17 years, and, if practicable, allow them to take custody of the E-bike, or other similar device. If

the parent, guardian or other responsible adult does not opt to take custody, or it is not practicable, then the officer may have the E-bike, or other similar device towed, at the expense of the parent, guardian or other responsible adult.

(b) Any person violating this section shall be guilty of a misdemeanor and upon conviction, shall be subject to fines of up to \$500 or thirty days in jail.

[Reserved Sec. 19-126 through 19-135]

Cross reference(s)—Streets and sidewalks, Ch. 28.; Motorized Scooters, Mopeds, Ch. 19.

Section 2. Amendments; In General. That Article VI; Division 1 will be amended by adding the text shown below with an underline and deleting text shown below with a ~~strike-through~~:

**ARTICLE VI. MOPEDS
DIVISION 1. GENERALLY**

Sec. 19-136. Definitions.

For purposes of this article:

“*Moped*” means a cycle, defined as a motor vehicle, with or without pedals, to permit propulsion by human power, that travels on not more than three wheels in contact with the ground whether powered by gasoline, electricity, alternative fuel, or a hybrid combination thereof. Based on the engine or fuel source, the moped must be equipped not to exceed the following limitations: a motor of fifty cubic centimeters; or designed to have an input exceeding 750 watts and no more than 1500 watts. If an internal combustion engine is used, the moped must have a power drive system that functions directly or automatically without clutching or shifting by the operator after the drive system is engaged. (See, S.C. Code § 56-1-10 (26)).

Sec. 19-137. Licensing requirement.

No person may operate a moped unless that person possesses a valid driver's license or a valid moped operator's license as required by state law.

Sec. 19-138. Traffic laws apply to persons riding or operating mopeds.

Pursuant to state law, every person operating a moped upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by the laws of this state declaring rules of the road applicable to vehicles or by the traffic regulations of this city applicable to the driver of a vehicle, except as to special regulations in this article and except as to those provisions of laws and regulations which by their nature can have no application.

(Ord. No. 2012-376, § 3, 9-25-12)

Sec. 19-139. Limitations as to operating, speed, riding position, and number of riders.

Pursuant to state law:

(a) No person shall operate a moped at a speed in excess of thirty-five (35) miles an hour.

- (b) No person shall ride upon a moped other than upon or astride a permanent and regular seat attached to the moped. A passenger on a moped shall not ride other than astride a permanent and regular seat attached thereto. All persons riding as a passenger must be able to keep his or her feet firmly on the foot boards or foot pegs while sitting comfortably on the seat.
- (c) No person shall operate a moped carrying more persons at one time than the number for which it is designed and equipped.
- (d) No person shall operate a moped while engaged in an activity that is not necessary to the operation of the moped which impairs, or would reasonably be expected to impair, the ability of the person to safely operate the moped.
- (e) No person shall operate a moped while transporting a passenger under the age of five (5).
- (f) No person shall park a moped, powered scooter, motorized bike at a bicycle rack, bicycle stand, or any other designated bicycle parking area.
- (g) A person may not operate a moped on a public highway that has a speed limit of greater than fifty-five miles per hour. A person operating a moped may cross an intersection at a public highway that has a speed limit of greater than fifty-five miles per hour.

(Ord. No. 2012-376, § 4, 9-25-12; Ord. No. 2014-135, § 1, 10-14-14)

Sec. 19-140. Required equipment.

Mopeds shall be equipped with all equipment required by state law.

Section 3: Amendments; In General. Section 19-91(b) will be amended by adding the text shown below with an underline and deleting text shown below with a ~~strike-through~~:

Sec. 19-91. - Regulation of use of roller skates, in-line skates, toy scooters, coasters, motorized toy vehicles, and motorized scooters.

(b) Motorized scooters.

(1) It shall be unlawful for any person to operate a motorized scooter, ~~other than a motorized scooter owned by that individual:~~

- a. Upon any roadway designed for vehicular traffic;
- b. Upon any public sidewalk;
- c. In a city-owned or leased parking garage or surface lot;
- d. Upon a city-owned or leased athletic field or tennis court;

(2) Motorized Scooters are permitted on multi-use paths, on-road bike facilities, and roads that have a posted speed limit of less than twenty-five (25) miles per hour.

(3) It shall be unlawful to use a motorized scooter on private property in a reckless manner. Persons operating these devices on private property shall exercise due care for the safety of others using the property and yield the right-of-way to pedestrians or other vehicular traffic.

- (4) It shall be unlawful to rent, offer, or make available a motor scooter for the use on a public right-of-way.
- (5) Any motor scooter left physically unattended on the public property may be removed and held by the city for twenty-four (24) hours. A confiscated motorized scooter shall be released upon proof of ownership and payment of a forty-five dollar (\$45.00) fee for removal and storage. Motorized scooters held for over twenty-four (24) hours may be disposed of by discarding, donation, auction, or any other manner deemed appropriate by the city. The city shall bear no responsibility to a motorized scooter owner or operator for loss of or damage to a confiscated motor scooter, including any chain or locking mechanism, in its enforcement of this section.
- (6) Any person permitted in the above subsections to ride or operate upon a sidewalk, on-road bike facility, shared-use or multi-use path shall not operate in a Reckless Manner, as defined herein, and shall at all times exercise due care and yield the right-of-way to pedestrians and other vehicular traffic. For purposes of this section, reckless manner means operating with a conscious, willful, or wanton disregard for the safety of persons or property. It involves behavior that creates a substantial and unjustifiable risk to the rider, pedestrians, or other road users. This includes, but is not limited to excessive speed, dangerous maneuvers, disregard for rules, and impaired riding.
- (7) For purposes of this section a motorized scooter shall mean a two-wheeled device that has handlebars, a floorboard that is designed to be stood upon when riding, or a removeable seat and is powered by a motor.

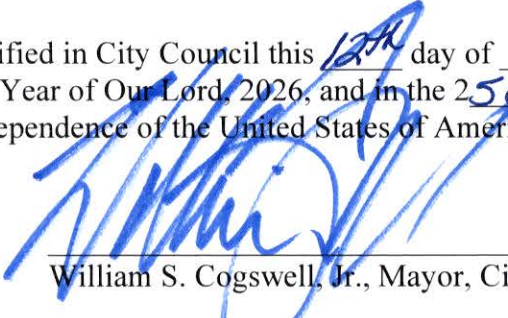
(c) Any person violating this section shall be guilty of a misdemeanor and upon conviction, shall be subject to a maximum fine of fifty dollars (\$50.00).

(Ord. No. 2009-236, § 1, 11-16-09; Ord. No. 2010-231, § 1, 8-17-10; Ord. No. 2010-271, § 1, 12-21-10; Ord. No. 2013-35, § 1, 3-12-13; Ord. No. 2014-43, § 1, 3-25-14; Ord. No. 2019-104, § 1, 10-22-19).

Section 4. This Ordinance, as it relates to E-bikes on Daniel Island, shall become effective 60 days following ratification, to allow for educational campaign and public outreach.

Ratified in City Council this 12th day of May in
the Year of Our Lord, 2026, and in the 250th Year of the
Independence of the United States of America.

By:


William S. Cogswell, Jr., Mayor, City of Charleston

Attest:


Jennifer Cook, Clerk of Council