

Chapter 11

MOTOR VEHICLES AND TRAFFIC¹

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¹ For state law as to motor vehicles and traffic generally, see S.C. Code 1976, SS 56-1-10 et seq. As to transportation, etc., and use of certain signals for safe operation of buses, trucks, etc., see SS 8-5 of this Code. As to scattering or spilling materials on streets from vehicles, etc., see SS 14-19.

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Article I. In General.

Sec. 11-1. State law adopted.²

The provisions of S56-1-10, Code of Laws of South Carolina, 1976, insofar as they are applicable to motor vehicles and the operation thereof in the Town, are hereby adopted as the law relating to motor vehicles and the operation of the same on the streets of the Town and each section, paragraph, part of parcel thereof is hereby adopted and made a part of this chapter the same as if such section, paragraph, part or parcel were written herein.

Sec. 11-1 (a) State Law Adopted.

The provisions of S56-1-10, Code of Laws of South Carolina, 1976, insofar as they are applicable to motor vehicles and the operation thereof in the Town, are hereby adopted as the law relating to motor vehicles and the operation of the same on the streets of the Town and each section, paragraph, part or parcel thereof is hereby adopted and made a part of this chapter the same as if such section, paragraph, part or parcel were written herein.

² For jurisdiction of Municipal Court, see SS 14-25-10 et seq., 5-7-140, 56-1-510, 56-5-6150 Code of Laws of SC 1976.

Sec. 11-1(b) Careless Driving or Riding.

It shall be unlawful for any person to drive or ride any vehicle without care and caution and full regard for the safety of persons and property. Any person failing to do so shall be guilty of careless driving or riding. The operation of any vehicle when the same or any of its appliances is not in proper or safe condition shall be prima facie evidence of careless driving or riding. (3-19-84)

Article II. Stopping, Standing and Parking.

Sec. 11-2. State Law adopted.

Any unoccupied and unattended vehicle found violating the terms of this article may be removed and impounded by any police officer or duly authorized person and shall be surrendered to the duly identified owner thereof only upon payment of cost of impounding. (10-21-68, SS1)

Sec. 11-3. Driver of vehicle to stop at stop signs.³

When stop signs are erected upon streets or stop lines are clearly marked thereon, every driver of a vehicle shall stop at every such sign or stop line before entering the intersection except when directed to proceed by a police officer or traffic-control signal. (10-21-68 SS2)

Sec. 11-4. Where stopping, standing, and parking prohibited, generally.⁴

It shall be prohibited to park a motor vehicle in the following locations or in the following manner: (7-19-2016)

- A. On a sidewalk;
- B. In front of a public or private approved driveway; (7-19-2016)
- C. On a beach path or in front of a beach path; (7-19-2016)
- D. Within an intersection;
- E. Within ten (10') feet of a fire hydrant;
- F. On a crosswalk;
- G. Within twenty-five (25') feet of a crosswalk at an intersection;
- H. Within thirty (30') feet upon the approach to any flashing beacon, stop sign or traffic-control signal located at the side of a roadway;

³ For state law as to duty of drivers to stop at signs, see S.C. Code of Laws, 1976, SS 56-5-2740.

⁴ For similar state law, see S.C. Code 1976, SS56-5-2530.

- I. Between a safety zone and the adjacent curb or within thirty (30') feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by signs or markings;
- J. Within twenty (20') feet of the driveway entrance to any fire station;
- K. Alongside or opposite any street excavation or obstruction when such stopping, standing or parking would obstruct traffic;
- L. On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
- M. At any place where official signs prohibit parking or stopping or in violation of official signs restricting stopping or parking;
- N. Where curbs are painted yellow. (10-21-68; S3)

Sec. 11-5 Unauthorized moving of parked vehicle.

No person shall move a vehicle not owned by such person into any prohibited area or away from a curb such distance as is unlawful.

Sec. 11-6. Prohibited for certain purposes.

No person shall stand or park a vehicle upon any roadway for the purposes of:

- A. Displaying it for sale,
- B. Advertising of any nature whatsoever,
- C. Washing, greasing, storing or repairing such vehicle except repairs necessitated by emergency. (10-21-68, S5)

Sec. 11-7. Standing or parking close to curb; angle parking.

- A. It shall be prohibited to park a motor vehicle in such a manner that any wheels are on the pavement or any portion of the vehicle extends over the pavement except where a curb is present or expressly permitted and marked by signage. (7-19-2016)
- B. All parking shall be parallel to the road except where expressly permitted and marked by signage. (7-19-2016)

- C. If parking is allowed on a curb, the vehicle wheels must be no more than one (1') foot from the curb. (7-19-2016)

Sec. 11-8. Parking on right side of street.

Vehicles shall park on the right side of the street except where regulations restrict parking to one side only. (10-21-68 S7)

Sec. 11-9. Parking within lines indicating parking space.

No person shall stop, stand or park any vehicle upon a street in such a manner as to leave available less than ten (10') feet of the width of the roadway for the free movement of vehicular traffic, except that a driver shall stop when necessary in obedience to traffic regulations or traffic signs or signals or a police officer. (10-21-68, S8)

Sec. 11-10. Loading and unloading passengers.

No operator of a vehicle shall load or unload passengers, except when the vehicle is stopped at the curb, and then only when such movement can be made with safety. (10-21-68, S10)

Sec. 11-11. Loading or unloading where curbs are painted white.

Where curbs are painted white, vehicles shall stop only long enough to load or unload. (10-21-68, S11).

Sec. 11-12. Owner responsible for illegal parking.

No person shall allow, permit or suffer any vehicle registered in his name to stand or park in any street in violation of any of the provisions of this article or other ordinances of the Town regarding the standing or parking of vehicles. (10-21-68, S12)

Sec. 11-13. Authority of Chief of Police to promulgate, etc., special regulations.

The Chief of Police, with the approval of the Town Council, shall have authority to make, promulgate and enforce special traffic regulations, including the designation of one-way streets, dangerous intersections where traffic shall be required to slow down or stop, express avenues, school zones, safety zones, parking meter zones and regulations as to parking, nonparking and time limits for parking and cause to be erected or placed signs, signals, parking meters and other traffic-control devices for the purpose of enforcing the same. Any person failing or refusing to obey any such regulations shall be guilty of a misdemeanor.

Before any such regulations shall become effective, notice thereof shall be published at least once in a newspaper published in the county. (10-21-68, S13)

Article III. Dead Storage of Vehicles

Sec. 11-14. "Dead storage" defined.

The "dead storage" of vehicles is hereby defined as the leaving, keeping, parking or maintenance of a vehicle under any one of the following conditions:

- A. Where the vehicle is required to have a license plate for operation upon the streets and roads of this state and such vehicle does not have a current license plate;
- B. Where the vehicle is designed to be propelled by motor power and is not in operable condition; or
- C. The vehicle in question has been parking or left standing for more than one (1) week. (3-16-70, S2)

Sec. 11-15. Dead storage prohibited on streets and other public property.

It shall be unlawful to use the public streets, ways or other public areas of the Town for the dead storage of motor and other vehicles. (3-16-70, S1).

Article IV. Regulations of Mopeds.

Sec. 11-16. Definition of "moped".

The term "moped" shall be taken to mean any pedal bicycle which is equipped with a pedal-activated helper motor with a manufacturer's certified maximum 1.0 brake horsepower which produces only ordinary pedaling speeds up to a maximum of twenty (20) miles per hour. (3-19-79).

Sec. 11-17. Registration required.

The owner or operator of every moped operated, or furnished for operation or use or which is used, either by the owner or any or any other person, on the streets or public places in the Town of Sullivan's Island, shall cause such moped to be registered at the Police Department, giving the make, model, motor number, and such other description as may be reasonable, on a form to be furnished by the Police Department, which shall be kept on file.

No person shall operate a moped on any Town street, sidewalk or bicycle path unless the moped has been licensed hereunder, or unless it is owned by a non-resident of the Town of

Sullivan's Island and is duly licensed or registered by the owner according to the laws or ordinances of his place of residence. If the non-resident owner's place of residence does not require a licensing or registering, then the moped shall be licensed hereunder if the moped is operated as herein described for any part of ten (10) days within a thirty (30) day period. (3-19-79).

Sec. 11-18. License tags; issuance; attachment to moped.

There shall be issued for each such moped registered, as provided in Section 11-17, a decal license tag containing a number and other appropriate identification information. This decal license tag shall be attached to the rear fender of the moped for which it was issued. (3-19-79)

Sec. 11-19. Fee for registration and issuance of license tags.

The fee for registration and issuance of the license tag, shall be the sum of seven (\$7.00) dollars, which sum shall be collected by the Town Police Department. (3-19-79)

Sec. 11-20. Term of registration; fee for renewal.

Registration shall be for a period of one calendar year. The fee for renewal shall be the sum of one (\$1.00) dollar, which sum shall be collected by the Town Police Department. (3-19-79)

Sec. 11-21. Disposition of fees collected; report of license tags issued.

Fees collected for moped registration and renewal of registration shall be turned over to the Town Clerk daily, together with a record of license tags issued or renewed. (3-19-79)

Sec. 11-22. Transfer of ownership; report of possession.

Whenever there shall be a transfer of the ownership of a moped, such transfer shall be reported to the Police Department by the seller within twenty-four (24) hours and information shall be furnished in regard thereto, setting forth the name of the transferor and the transferee, which information shall be recorded in the Police Department along with the original application for registration, and the purchaser shall immediately register such moped in his name and shall pay a fee therefor in the sum of one (\$1.00) dollar.

Any person purchasing or coming into possession of a moped shall within twenty-four (24) hours report the same to the Police Department and effect the transfer provided for in this section. (3-19-79)

Sec. 11-23. Forfeiture, sale and redemption of unlicensed or improperly licensed mopeds.

Any moped found on the streets of the Town and any moped operated on the streets of the Town without bearing a license tag which was not legally issued for such moped shall be seized by the Police Department and forfeited to the Town. It shall be the duty of the Police Department from time to time to advertise and sell any and all mopeds so seized, upon giving the usual notice of sale and publication in a newspaper of regular circulation in the Town, as in the case of other personal property seized and forfeited; but the owner of such moped may, upon satisfactory proof of his ownership before the time of sale, redeem the moped by the payment of any costs or disbursements incurred in the seizure, advertisement and sale. (3-19-79)

Sec. 11-24. Operation of unlicensed or improperly licensed moped.

It shall be unlawful to use or operate a moped in the Town without a license tag as above provided, or with a license tag that has been issued for a moped other than the one to which it is attached. (3-19-79)

Sec. 11-25. Possession of unlicensed moped as evidence of violation of chapter.

The possession or custody of a moped without the license tag required by this article shall be prima facie evidence that the same was used or intended to be used in violation of the terms of this chapter.

Sec. 11-26. Liability insurance policy required.

Before the issuance or renewal of a license tag for any moped, the owner of the moped shall procure and show to the Town Police Department a liability insurance policy, together with a receipt showing the payment of the premium therefor issued by a good and responsible insurance company, such company being one authorized to do business in South Carolina and in possession of a certificate issued by the insurance commissioner of the state. The amount of such liability insurance for each moped shall be as follows: An amount not less than fifteen thousand (\$15,000) dollars because of bodily injury or death of one person in any one accident, and, subject to such limit for one person, in the amount of thirty thousand (\$30,000) dollars because of bodily injury or death of two or more persons in any one accident, and the amount of five thousand (\$5,000) dollars because of injury to or destruction of property of others in any one

accident and amount not less than one thousand (\$1,000) dollars in “first part” medical and economic loss coverage. (3-19-79)

Sec. 11-27. Effect of policy cancellation or expiration.

In the event of cancellation or expiration of the policy of insurance, required in Section 11-26, its license tag, as provided in Section 11-18 shall become null and void and shall be immediately surrendered by the owner of the moped to the Town Police Department, and the operation of the moped after the cancellation of such insurance shall be a misdemeanor. (3-19-79)

Sec. 11-28. Driver’s license required.

No person shall operate a moped in the Town unless he shall have a valid driver’s license or beginner’s permit issued by the State of South Carolina or by another state, if he is a resident of such state. (3-19-79)

Sec. 11-29. Manner of riding.

The operator of a moped shall not ride other than upon or astride a permanent and regular seat attached thereto, nor shall more than one person ride on it at the same time. (3-19-79)

Sec. 11-30. Riding more than one abreast prohibited.

Persons operating a moped upon a roadway shall ride not more than one abreast. (3-19-79)

Sec. 11-31. Carrying articles.

No person operating a moped shall carry any package, bundle or article which prevents the rider from keeping both hands upon the handle bars. (3-19-79)

Sec. 11-32. Applicability of traffic laws.

Every person riding 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 this chapter, except as to special regulations in this article and except as to provisions of this chapter which by their nature can have no application. (3-19-79)

Sec. 11-33. Muffler devices required.

No person shall operate a moped with the muffler removed or altered such that the operation creates a loud and annoying noise. (3-19-79)

Sec. 11-34. Lighting equipment required.

Every moped when in use at nighttime shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least five hundred (500') feet to the front and a lamp emitting a red light visible from a distance of five hundred (500') feet to the rear. (3-19-79)

Sec. 11-35. Bells.

No person shall operate a moped unless it is equipped with a bell, horn or other device capable of giving a signal audible for a distance of at least one hundred (100') feet, except that a moped shall not be equipped with nor shall any person use upon a moped any siren or whistle. (3-19-79)

Article V. Violations of Chapter.

Sec. 11-36. Violations.

Persons or vehicles found in violation of this chapter or other provisions of this Code or other ordinances of the Town regulating the parking or use of vehicles on the streets and ways of the town shall be punished as provided in Section 1-7.