



South Carolina Highway Patrol

**Guide to Enforcement  
Of Moped/ Scooter Laws**



**Prepared for South Carolina  
Law Enforcement Officers**

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## Understanding the difference...

This booklet has been prepared to enable law enforcement to better understand the differences in mopeds and scooters — in both appearance and in a legal sense. The hope is to help law enforcement more uniformly enforce the laws governing these vehicles in South Carolina.

In recent years, fuel prices have continued climbing, forcing many motorists to seek alternative transportation. This trend, coupled with a spike in DUI arrests/convictions, has resulted in a sharp increase in two-wheeled vehicles on the roadways. These vehicles include mopeds, scooters, motorcycles and other “kit” vehicles. Manufacturers are also producing a greater variety of these vehicles. Further complicating this trend, many operators are altering mopeds to exceed allowable speed limits. Scooters have also been altered to resemble mopeds to circumvent licensing and insurance requirements.



*Scooter*



*Moped*

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## Quick Reference Guide

### MOPED / SCOOTER QUICK REFERENCE GUIDE

	<b>MOPED</b>	<b>SCOOTER</b>	<b>MOTORCYCLE</b>
<b>ENGINE</b>	<b>50 CC or less</b>	<b>+ 50 CC</b>	<b>+ 50 CC</b>
<b>TRANSMISSION</b>	<b>SINGLE SPEED</b>	<b>SINGLE OR MULTI GEAR</b>	<b>SINGLE OR MULTI GEAR</b>
<b>MAX SPEED ALLOWED</b>	<b>25 MPH</b>	<b>MAX POSTED LIMIT</b>	<b>MAX POSTED LIMIT</b>
<b>TOP SPEED CAPABILITY</b>	<b>30 MPH *</b>	<b>NO LIMIT</b>	<b>NO LIMIT</b>
<b>VEH LICENSE</b>	<b>“MOPED” TAG</b>	<b>MOTORCYCLE</b>	<b>MOTORCYCLE</b>
<b>OPERATOR LICENSE</b>	<b>CLASS G,D,M**</b>	<b>CLASS M</b>	<b>CLASS M</b>
<b>NO. OF PASSENGERS</b>	<b>SINGLE</b>	<b>SINGLE +1</b>	<b>SINGLE +1</b>
<b>LIABILITY Insurance required</b>	<b>NO</b>	<b>YES</b>	<b>YES</b>
<b>HELMET REQUIRED</b>	<b>YES (1)</b>	<b>YES (1)</b>	<b>YES (1)</b>

**\* THIS IS THE TOP MAX SPEED CAPABILITY FOR THE VEHICLE. IF A MOPED HAS BEEN ALTERED TO EXCEED A TOP SPEED OF 30 MPH, THEN IT SHOULD BE CLASSIFIED AS A MOTORCYCLE**

**\*\* MAY BE OPERATED ON ANY CLASS OF SC LICENSE. CLASS G LICENSE ENABLES RIDERS 14 YEARS OLD TO OPERATE A MOPED. OPERATORS MAY ONLY BE SUSPENDED FROM OPERATING A MOPED FOR VIOLATIONS OCCURRED WHILE RIDING A MOPED. CLASS D OPERATORS WHO ARE UNDER SUSPENSION FOR DUI MAY OPERATE A MOPED DURING THEIR SUSPENSION. THEIR DRIVER’S LICENSE MUST BE REINSTATED BY DMV AT THE END OF THEIR SUSPENSION PERIOD IN ORDER TO CONTINUE TO OPERATE A MOPED.**

**(1) HELMET LAW REQUIRES OPERATORS AND PASSENGERS UNDER AGE 21 TO WEAR A HELMET. OPTIONAL FOR THOSE 21 OR OLDER.**

## Moped Licensing and Specs

- Mopeds must be no more than 50 cc and have a top speed of 30 mph on level ground.
- Mopeds must not exceed 25 mph (speed limit).
- Mopeds 50 cc and under are not required to carry liability insurance.
- Mopeds 50 cc and under are not required to have a special operator's license; provided the operator has a valid class D permit or license.
- Operators 14 or older may procure a Moped operator license (Class G) by taking vision and knowledge test.
- Mopeds do not have a sticker or placard outlining engine and performance specs on the actual vehicle, thus they only appear on the Manufacturers Statement of Origin (MSO).
- Moped Dealers are required to issue a "MOPED" tag that has a sticker with digit code and a corresponding sticker affixed to the frame of the unit.
- Drivers that have their license (Class D, M) suspended for a period of six months or less are not required to obtain a Class G license.
- If a Class D license is suspended for more than six months, the moped operator must get a Class G license.

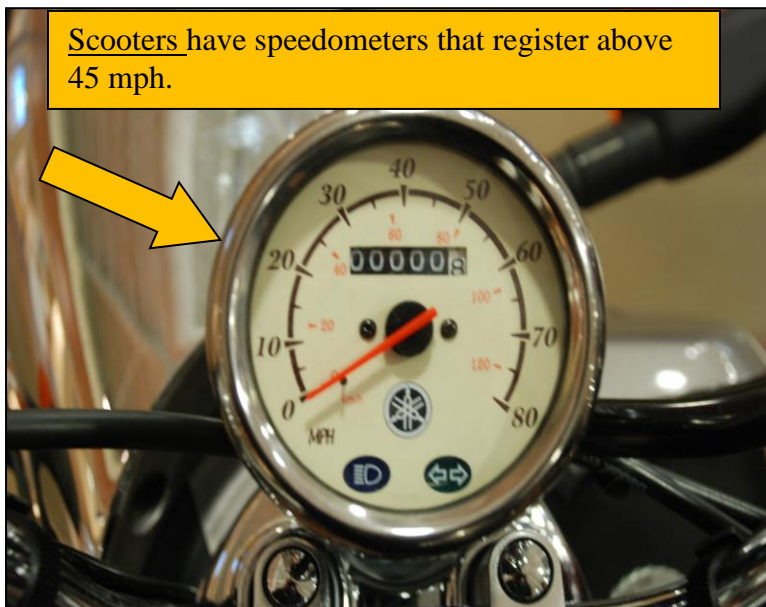
## Identifying the differences

Most mopeds have a speedometer that measures up to 45 mph.



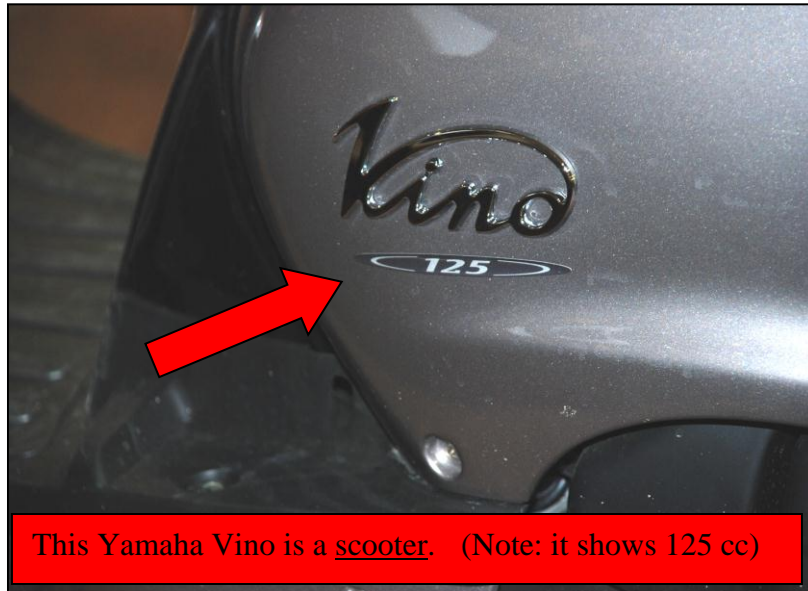
Honda Ruckus moped instrument panel

Scoters have speedometers that register above 45 mph.

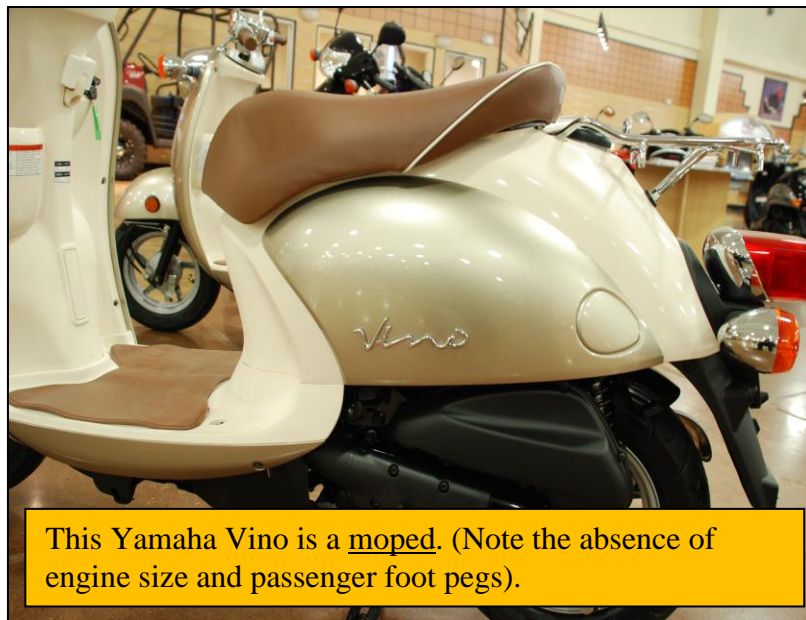


Yamaha Vino scooter instrument panel

Many makes of scooters and mopeds may offer them as the same model name, but the engine size determines if it is a scooter or a moped.



This Yamaha Vino is a scooter. (Note: it shows 125 cc)

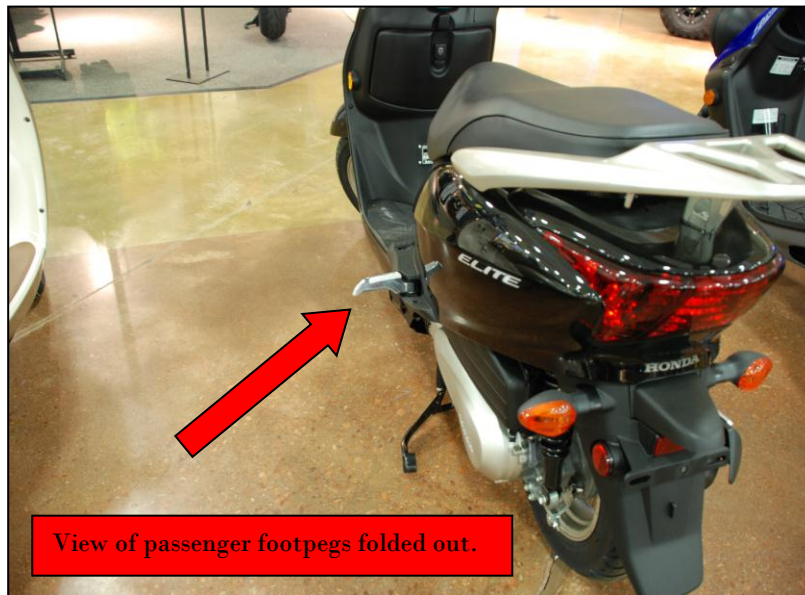


This Yamaha Vino is a moped. (Note the absence of engine size and passenger foot pegs).

The presence of passenger foot pegs or footrests usually mean it is a scooter.



This scooter has a two up passenger seat and passenger foot pegs that fold out.



View of passenger footpegs folded out.





This Yamaha Vino scooter has integrated passenger foot rests.

The same model (Yamaha 125 scooter)





Below is a moped vehicle license plate with the (two) corresponding validation stickers. The stickers should be displayed on the tag and on the frame or forks of the vehicle. It should not be affixed to any of the removable parts of the vehicle. Moped tags are issued by moped dealers.

The moped tag must be made of reflective metal, and one of the corresponding validation stickers must be displayed on the tag.

The sticker goes here

S.C. MOPED  
A 14955

S.C. MOPED  
A 14955

**MOPED**  
**SOUTH CAROLINA**



The highest selling scooter brand in the world is Vespa. They do not make any models that would be classified as a moped because the maximum speed of all their models exceeds 30 mph.





All vehicles that are considered scooters must be registered and insured as motorcycles, regardless of whether or not it has a transmission with gears or a single-speed unit.



## TOP SELLERS: MOPEDS and SCOOTERS IN SC

- **Chinese Moped manufacturer named Jonway:**  
They produce mopeds under many brand names; if you sell enough of them, they will produce them under your requested brand name
- **Chinese Moped manufacturer named ZEN** – they do the same as Jonway
- **Honda Metropolitan**
- **Genuine Scooters:** Moped
- **Honda Ruckus:** Moped
- **Yamaha Zuma:** Moped
- **Yamaha Zuma 125** – Scooter
- **Tomos:** Moped
- **Vespa:** Scooter
- **Honda Elite:** Scooter

The Chinese brands are popular because of their retro rounded fenders and fairing and because of their reasonable pricing. They sell for about \$600 per unit. Sales volume can be hard to track because they are not required to be registered or sold under a dealership.

You do not have to be a licensed dealer in South Carolina to sell mopeds. With scooters you must be a licensed dealer because they fall under the same classification as motorcycles.



Honda Ruckus Moped



Yamaha Zuma Scooter

# Moped/Scooter Laws



## **SECTION 56-5-165: Moped defined:**

Notwithstanding the provisions of Section 56-5-160, every cycle with pedals to permit propulsion by human power or without pedals and with a motor of not more than fifty cubic centimeters which produces not to exceed two brake horsepower and which is not capable of propelling the vehicle at a speed in excess of thirty miles an hour on level ground is a moped. 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.

## **SECTION 56-5-140: Motorcycle**

Every motor vehicle having no more than two permanent functional wheels in contact with the ground or trailer and having a saddle for the use of the rider, but excluding a tractor, is a "motorcycle".

## **SECTION 56-5-150. Motor-driven cycle**

Every motorcycle, including every motor scooter, with a motor which produces not to exceed five horsepower is a "motor-driven cycle".

## **SECTION 56-5-1555. Speed limitation on mopeds**

No person may operate a moped at a speed in excess of twenty-five miles an hour. A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred dollars or imprisoned not more than thirty days.

## ARTICLE 30. MOPED REGULATION



### **SECTION 56-5-3710. Limitations as to riding position and number of riders.**

No person may ride upon a moped other than upon or astride a permanent and regular seat attached to the moped. No moped may be used to carry more persons at one time than the number for which it is designed and equipped.

### **SECTION 56-5-3720. Required equipment**

It is unlawful for a person to sell a moped for use on the public highways and streets of this State or operate a moped upon the public highways and streets of this State without operable pedals if the moped is equipped with pedals, at least one rearview mirror, operable running lights, and brake lights which are operable when either brake is deployed. A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred dollars or imprisoned not more than thirty days.

### **SECTION 56-5-3730. Use of operating lights**

The operator of a moped must have the operating lights turned on at all times while the **moped** is in operation on the public highways and streets of this State.

### **SECTION 56-5-3740. Modification of equipment to increase horsepower or speed.**

It is unlawful for a person to modify or change the equipment of a moped so that the vehicle exceeds two brake horsepower and produces speeds in excess of thirty miles an hour on level ground. A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred dollars or imprisoned not more than thirty days.

### **SECTION 56-5-3750. Labeling requirements; violations and penalties.**

(A) A person who sells, solicits, or advertises the sale of mopeds clearly and conspicuously shall label each moped with its specifications including, but not limited to, the brake horsepower of the

motor and the maximum speed of the vehicle on level ground. The seller also shall attach a metal identification plate to each moped without pedals identifying the vehicle as a moped. This plate must be designed by the Department of Motor Vehicles and must display information the department considers necessary for enforcement purposes. The plate must be displayed permanently on each moped without pedals and must not be removed. A seller of mopeds who fails to label a moped, fails to attach a metal identification plate to a moped without pedals, knowingly labels a motorcycle or motor-driven cycle as a moped, or attaches a metal identification plate to a motorcycle or motor-driven cycle identifying the vehicle as a moped is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred dollars or imprisoned for not more than thirty days.

(B) It is unlawful for a person to operate a moped without pedals upon the public highways and streets of this State without displaying the metal identification plate which must be attached to the vehicle. A person who violates the provisions of this subsection is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred dollars or imprisoned not more than thirty days.

(C) Each vehicle which is incorrectly labeled or plated and each moped which is not labeled or plated is a separate violation of this section.



**SECTION 56-5-3760. Sign to be posted by persons selling mopeds.**

The Department of Motor Vehicles shall design a sign which contains a brief explanation of the provisions of law governing the operation of mopeds. Persons selling mopeds shall post the sign in a conspicuous place in their place of business.

**SECTION 56-3-20. Definitions.** Moped means every cycle with pedals to permit propulsion by human power and with a motor of not more than fifty cubic centimeters which produces not to exceed one and one-half brake horsepower and which is not capable of propelling the vehicle at a speed in excess of twenty-five miles per hour on level ground. 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

**ARTICLE 9. OPERATION OF MOPEDS**

**SECTION 56-1-1710. Meaning of moped:**

For purposes of this article, moped means a cycle with pedals to permit propulsion by human power or without pedals and with a motor of not more than fifty cubic centimeters which produces not to exceed two brake horsepower and which is not capable of propelling the vehicle at a speed in excess of thirty miles an hour on level ground. 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.

**SECTION 56-1-1720. Licensing requirement; minimum age; violations and penalties.**

Until January 1, 1987, no person under the age of twelve may operate a moped on the public highways and streets of this State. After December 31, 1986, to operate a moped on the public highways and streets of this State, a person must possess a valid driver's license issued under Article 1 of this chapter or a valid moped operator's license issued under this article, except that a person whose driver's license has been suspended for a period of six months or less is not required to obtain a moped operator's license or possess a valid driver's license during the period of suspension. From January 1, 1987, to December 31, 1987, the Department shall not issue a moped operator's license to any person who is less than thirteen years of age. After December 31, 1987, the Department of Motor Vehicles shall not issue a moped operator's license to any person who is less than fourteen years of age.

Any person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction of a first offense, must be fined not less than twenty-five dollars nor more than fifty dollars and, upon conviction of a second or subsequent offense, must be fined not less than fifty dollars nor more than one hundred dollars.

The Department may not issue a beginner's permit or special restricted license as provided for in §§ 56-1-50 and 56-1-180 to any person convicted of a second or subsequent violation of operating a moped on the public highways and roads of this State while under age, until that person is at least fifteen and one-half years of age.



**SECTION 56-1-1730. Eligibility for, and suspension, revocation or cancellation of, moped operator's license.**

A person is eligible for a moped operator's license without regard to his eligibility for or the status of any other driver's license or permit. The Department of Motor Vehicles may suspend, revoke, or cancel a moped operator's license only for violations committed while operating a moped. A moped operator's license may be suspended, revoked, or

canceled in the same manner and upon the same grounds for which any other motor vehicle operator's license or permit may be suspended, revoked, or canceled.

**SECTION 56-1-1740. Examination of applicants for moped operator's license; fees; expiration and renewal of license.**

The Department of Motor Vehicles shall examine every applicant for a moped operator's license. The examination shall include a test of the applicant's eyesight and, as pertains to the operation of a moped, a test of his ability to read and understand highway signs regulating, warning, and directing traffic and his knowledge of the traffic laws of this State. The Department may require further physical and mental examination as it considers necessary to determine the applicant's fitness to operate a moped upon the highways, the further examination to be at the applicant's expense. The Department shall make provisions for giving an examination in the county where the applicant resides. The Department shall charge a fee of two dollars for each complete examination

or reexamination required in this article. The expiration and renewal of moped operator's licenses must be in accordance.



**SECTION 56-1-1750. Repealed by 2008 Act No. 336, § 2, eff June 16, 2008.**

**SECTION 56-1-1760. Requirement that license be in immediate possession of operator of moped and that it be displayed upon demand of certain State officers.**

Every licensee shall have his license in his immediate possession at all times when operating a moped and shall display it upon demand of any officer or agent of the Department of Public Safety or any police officer of the State.

**SECTION 56-1-1770. Application for moped operator's license.** Application for a moped operator's license must be in accordance with the procedures and requirements of Article 1, Chapter 1 of Title 56.

**SECTION 56-1-1780. Applicability of Sections 56-1-100 and 56-1-230 to holders of moped operator's licenses.** The provisions of §§ 56-1-100 and 56-1-230 apply to persons with moped operator's licenses.

## Class G: Moped Beginner Permit

In South Carolina, you may apply for a license to operate a moped at 14 years old by taking the vision and knowledge test. If you are at least 15 years old and have a driver's license, you do not have to have a moped license to operate a moped.



### Those under 18 Years of Age:

- must bring your parent or legal guardian with you to sign your application.
- must bring their birth certificate, social security card, proof of residency and insurance information.
- must pass the vision and road skills tests.

### Those 18 Years of Age or Older:

must bring birth certificate, social security card, proof of residency and insurance information.

- Must pass the vision and road skills tests.



**Booklet prepared by the  
South Carolina Highway Patrol  
Office of Community Relations  
Photographs by MAIT Unit**

*Sources: Velocity Motorsports of Summerville,  
South Carolina Department of Motor Vehicles  
South Carolina Code of Laws*