



**SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE**  
**STATEMENT OF ESTIMATED FISCAL IMPACT**  
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<b>Bill Number:</b>	H. 3174	Introduced on January 8, 2019
<b>Author:</b>	Elliott	
<b>Subject:</b>	Electric Assisted Bicycles	
<b>Requestor:</b>	House Education and Public Works	
<b>RFA Analyst(s):</b>	Gardner and Griffith	
<b>Impact Date:</b>	February 26, 2019	

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### **Fiscal Impact Summary**

The Judicial Department reports that this bill will have no expenditure impact on the General Fund, Other Funds, or Federal Funds since all fines applicable to bicycle operators are within magistrate and municipal courts.

The Department of Motor Vehicles reports the bill does not operationally impact the department, therefore there will be no expenditure impact on the agency's General Funds, Other Funds, or Federal Funds.

Revenue and Fiscal Affairs (RFA) estimates that the local revenue impact of this bill is undetermined because there is no data with which to predict the number of new fines that may be assessed. All fines applicable to bicycle operators are subject to jurisdiction of magistrate and municipal courts.

We anticipate that any additional costs to magistrate or municipal courts can be managed within their existing resources. Therefore, there will be no local expenditure impact.

### **Explanation of Fiscal Impact**

#### **Introduced on January 8, 2019**

#### **State Expenditure**

This bill provides definitions for the terms electric-assist bicycles and bicycles with helper motors and provides that bicyclists operating electric-assist bicycles shall be subject to all statutory provisions applicable to bicyclists, as provided in Section 56-5-3420. Electric-assist bicycles are defined as low-speed 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. This bill specifies that bicycles with helper motors are not mopeds.

**Judicial Department.** This bill defines types of low speed electric motor assisted bicycles and provides that operators are subject to all statutory provisions applicable to bicyclists. It also provides that bicyclists have duties similar to those of motor vehicle operators as described in Section 56-5-3420 and as such are subject to being fined for violations of such statutory provisions. Based on information obtained by the department, the proposed bill will impact the magistrate or municipal courts, and may impact the circuit courts. While the impact to circuit courts is unknown because this is a new offense and there is no data to suggest how many

additional individuals will be convicted of bicycle related offenses, the increase is not expected to be significant. As such, it is anticipated that any additional costs in circuit court can be managed within existing resources. Therefore, there will be no expenditure impact on the General Fund, Other Funds, or Federal funds of the department.

**Department of Motor Vehicles.** This bill provides definitions for electric motor assisted bicycles and bicycles with helper motors and subjects them to the same provisions applicable to bicyclists. Since the bill does not operationally impact the department, there will be no expenditure impact on the agency's General Funds, Other Funds, or Federal Funds.

### **State Revenue**

Most bicyclist infractions are handled within magistrate or municipal courts. However, depending on the degree of injury, the person at fault may be assessed a civil fine payable either in magistrate, municipal, or circuit courts. Since this bill adds a new category that is subject to the provisions of Title 56 (Motor Vehicles), there is no data upon which to predict the number of new fines that may be generated. However, state revenue is not expected to be significant, hence no revenue impact to the General Fund, Other Funds, or Federal Funds of the Judicial Department.

### **Local Expenditure**

This bill defines types of low speed electric motor assisted bicycles and provides that operators are subject to all statutory provisions applicable to bicyclists. Offenses of this type are generally handled in magistrate or municipal courts. However, the expenditure impact is unknown because this is a new offense and there is no data to suggest how many additional individuals will be convicted of bicycle related offenses. The increase in caseloads is not expected to be significant. As such, it is anticipated that any additional costs to magistrate or municipal courts can be managed within their existing resources. Therefore, there will be no local expenditure impact.

### **Local Revenue**

This bill provides definitions for the terms electric-assist bicycles and bicycles with helper motors and provides that bicyclists operating electric-assist bicycles shall be subject to all statutory provisions applicable to bicyclists, as provided in Section 56-5-3420. Bicyclists may be subject to fines if they do not operate their bicycles in accordance with the applicable laws. In addition, motor vehicle drivers may be subject to fines if they fail to operate their vehicle in a safe manner when encountering a bicyclist.

Most bicyclist infractions are handled within magistrate or municipal courts. However, depending on the degree of injury, the person at fault may be assessed a civil fine payable either in magistrate, municipal, or circuit courts. Since this bill adds a new category that is subject to the provisions of Title 56 (Motor Vehicles), there is no data upon which to predict the number of new fines that may be generated. Therefore, the increase in local revenue cannot be determined.



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