

The information contained in this brochure is provided as summary information. The specific laws governing Fish, Wildlife and Boating may be found in Title 50 SC Code.

See <http://www.scstatehouse.gov/code/titl50.htm>

What's New for 2011-2012

H.3562 Rep. Ott — All-Terrain Vehicle Safety Act, Chandler's Law Ratified R 44; Signed By Governor 5/11/2011; Effective date 07/01/11; — Act No. 24

This chapter provides that Effective July 1, 2011, every person fifteen years old and younger who operates an all-terrain vehicle must possess a safety certificate indicating successful completion of 'hands-on' all-terrain vehicle safety course approved by the All-Terrain Vehicle Safety Institute.

This Act does not apply to:

- (1) an owner, operator, lessor, or renter of a farm or ranch, or that person's employees, immediate family, or household members, when operating an all-terrain vehicle while engaged in farming, wildlife habitat management, or ranching operations;
- (2) a person using an all-terrain vehicle for hunting or trapping purposes if the person otherwise is lawfully engaged in those activities; or
- (3) a minor younger than sixteen years of age, but not younger than six years of age who is operating an all-terrain vehicle under the direct visual supervision of his parent or an individual with legal custody of the minor on private property.

Additionally this Act provides the following for the operation of all-terrain vehicles on those lands open to the public.

- (1) It is unlawful to operate an all-terrain vehicle except in compliance with the local regulations and restrictions for all-terrain vehicle operation.
- (2) A person sixteen years of age or younger who operates an all-terrain vehicle must be accompanied by an adult.
- (3) It is unlawful to operate an all-terrain vehicle between one-half hour after sunset to one-half hour before sunrise unless it is operated with headlights turned on.
- (4) It is unlawful to cross any watercourse on an all-terrain vehicle except at a designated ford, crossing, bridge, or if the watercourse is bisected by a trail.
- (5) An all-terrain vehicle must have an effective muffler system in good working condition, a USDA Forest Service approved spark arrester in good working condition, and a brake system in good operating condition.

(6) It is unlawful to operate an all-terrain vehicle while under the influence of alcohol or any controlled substance.

(7) It is unlawful to operate an all-terrain vehicle in a reckless manner.

(8) Nothing contained in this chapter prevents the operation of an all-terrain vehicle on a beach, or between the breakers and the shoreline of the beach, if the all-terrain vehicle is operated in a manner approved by the entity that owns or controls the area.

A person violating this Act, unless otherwise specified, is guilty of a misdemeanor and, upon conviction, must be fined not less than fifty dollars nor more than two hundred dollars.

This Act also provides that it is unlawful for:

- (1) a parent or legal guardian of a person less than six years of age to knowingly permit that person to operate an ATV;
- (2) a parent or legal guardian of a person without a motor vehicle driver's license and less than sixteen years of age to knowingly allow that person to carry a passenger while operating an ATV.
- (3) a parent or legal guardian of a person less than sixteen years of age to knowingly allow that person to operate an ATV in violation of the Age Restriction Warning Label affixed by the manufacturer as required by standard ANSI/SVIA 1-2007.
- (4) A person fifteen years of age or younger also may not operate, ride, or otherwise be propelled on an all-terrain vehicle within this State unless the person wears a safety helmet meeting standard FMVSS #218 and eye protection.

For more information on the ATV Safety Act, Chandler's Law visit http://www.scstatehouse.gov/sess119_2011-2012/bills/3562.htm.