

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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SENATE BILL DRS35103-NE-17B

Short Title: Modify Utility Vehicle Definition.

(Public)

Sponsors: Senators Jarvis, Sawyer, and Johnson (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED
AN ACT AMENDING MOTOR VEHICLE LAWS REGULATING MODIFIED UTILITY
VEHICLES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-4.01(27) reads as rewritten:

"(27) Passenger Vehicles. –

...

g2. Modified utility vehicle. – A motor vehicle that (i) is manufactured for off-road use with equipment required by G.S. 20-121.1(2), except a vehicle identification number, and (ii) has four wheels, ~~an engine displacement greater than 2,400 cubic centimeters,~~ an overall length of ~~42-110~~ inches or greater, an overall width of 58 inches or greater, an overall height of 70 inches or greater, a maximum speed capability of 40 miles per hour or greater, and does not require an operator or passenger to straddle a seat. "Modified utility vehicle" does not include an all-terrain vehicle, golf cart, or utility vehicle, as defined in this section, or a riding lawn mower.

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SECTION 2. G.S. 20-121.1 reads as rewritten:

"§ 20-121.1. Operation of a low-speed vehicle, mini-truck, or modified utility vehicle on certain roadways.

The operation of a low-speed vehicle, mini-truck, or modified utility vehicle is authorized with the following restrictions:

- (1) A low-speed vehicle may be operated only on streets and highways where the posted speed limit is 35 miles per hour or less. A mini-truck or modified utility vehicle may be operated only on streets and highways where the posted speed limit is 55 miles per hour or less, but a modified utility vehicle shall not be operated on any street or highway having four or more lanes regardless of the posted speed limit. This subdivision does not prohibit a low-speed vehicle, mini-truck, or modified utility vehicle from crossing a road or street at an intersection where the road or street being crossed has a posted speed limit of more than 35 miles per hour.
- (2) A low-speed ~~vehicle, mini-truck, or modified utility vehicle~~ or mini-truck shall be equipped with headlamps, stop lamps, turn signal lamps, tail lamps, reflex reflectors, parking brakes, rearview mirrors, windshields, windshield wipers, speedometer, seat belts, and a vehicle identification number. Any such



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required equipment shall be maintained in proper working order. ~~If a modified utility vehicle does not have a vehicle identification number, upon application by the owner, the Division shall assign a vehicle identification number to the modified utility vehicle prior to registration.~~

(2a) A modified utility vehicle shall be equipped with headlamps, stop lamps, turn signal lamps, tail lamps, reflex reflectors, parking brakes, rearview mirrors, speedometer, seat belts, and a vehicle identification number. Any such required equipment shall be maintained in proper working order. If a modified utility vehicle does not have a vehicle identification number, upon application by the owner, the Division shall assign a vehicle identification number to the modified utility vehicle prior to registration. The operator of and all passengers on a modified utility vehicle that is not equipped with a windshield and windshield wipers shall wear a safety helmet, with a retention strap properly secured, that complies with Federal Motor Vehicle Safety Standard (FMVSS) 218.

...

(4) ~~The~~ Notwithstanding the provisions of any other subdivision of this section, the Department of Transportation may prohibit the operation of low-speed vehicles, mini-trucks, or modified utility vehicles on any road or highway if it determines that the prohibition is necessary in the interest of safety.

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SECTION 3. This act becomes effective October 1, 2021.