

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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SENATE BILL 241
Transportation Committee Substitute Adopted 4/21/21
House Committee Substitute Favorable 5/11/21
House Committee Substitute #2 Favorable 5/26/21

Short Title: Modified Utility Vehicle Def/Use of Funds.

(Public)

Sponsors:

Referred to:

March 15, 2021

A BILL TO BE ENTITLED
AN ACT AMENDING MOTOR VEHICLE LAWS REGULATING MODIFIED UTILITY
VEHICLES AND DIRECTING THE USE OF CERTAIN FUNDS APPROPRIATED TO
THE DEPARTMENT OF TRANSPORTATION.

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 or
upfitted by a licensed manufacturer, dealer, or person or business
otherwise engaged in vehicle manufacturing or modification for
off-road use with equipment required by G.S. 20-121.1(2),
G.S. 20-121.1(2a), 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 70-60 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.

...."

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; less; provided, a modified utility vehicle may
not be operated on any street or highway having four or more travel lanes
unless the posted speed limit is 35 miles per hour or less. This subdivision
does not prohibit a low-speed vehicle, mini-truck, or modified utility vehicle



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- 1 from crossing a road or street at an intersection where the road or street being
2 crossed has a posted speed limit of more than 35 miles per hour.
- 3 (2) ~~A low-speed vehicle, mini-truck, or modified utility vehicle or mini-truck~~
4 shall be equipped with headlamps, stop lamps, turn signal lamps, tail lamps,
5 reflex reflectors, parking brakes, rearview mirrors, windshields, windshield
6 wipers, speedometer, seat belts, and a vehicle identification number. Any such
7 required equipment shall be maintained in proper working order. ~~If a modified~~
8 ~~utility vehicle does not have a vehicle identification number, upon application~~
9 ~~by the owner, the Division shall assign a vehicle identification number to the~~
10 ~~modified utility vehicle prior to registration.~~
- 11 (2a) A modified utility vehicle shall be equipped with headlamps, stop lamps, turn
12 signal lamps, tail lamps, reflex reflectors, parking brakes, rearview mirrors, a
13 speedometer, seat belts, and a vehicle identification number. Any such
14 required equipment shall be maintained in proper working order. If a modified
15 utility vehicle does not have a vehicle identification number, upon application
16 by the owner, the Division shall assign a vehicle identification number to the
17 modified utility vehicle prior to registration. The operator of and all
18 passengers on a modified utility vehicle that is not equipped with a windshield
19 and windshield wipers shall wear a safety helmet, with a retention strap
20 properly secured, that complies with Federal Motor Vehicle Safety Standard
21 (FMVSS) 218.
- 22 ...
- 23 (4) ~~The~~ Notwithstanding the provisions of any other subdivision of this section,
24 the Department of Transportation may prohibit the operation of low-speed
25 vehicles, mini-trucks, or modified utility vehicles on any road or highway if it
26 determines that the prohibition is necessary in the interest of safety.

27"

28 **SECTION 3.** Notwithstanding Article 8 of Chapter 143 of the General Statutes,
29 G.S. 136-28.1, and any other provision of law to the contrary, the Department of Transportation,
30 Ferry Division, shall lease a passenger ferry vessel for operation between Hatteras and Ocracoke.
31 The term of the lease shall end no later than September 12, 2021. Of the funds appropriated in
32 S.L. 2020-91 from the Highway Fund to the Department of Transportation, the sum of nine
33 hundred forty-three thousand dollars (\$943,000) in nonrecurring funds shall be used by the
34 Division to lease and operate the ferry.

35 **SECTION 4.** Sections 1 and 2 of this act become effective October 1, 2021. The
36 remainder of this act is effective when it becomes law.