

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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HOUSE BILL 882
PROPOSED COMMITTEE SUBSTITUTE H882-PCS50405-SUF-21

Short Title: Register/Title Off-Road ATVs & Motorcycles.

(Public)

Sponsors:

Referred to:

May 4, 2011

A BILL TO BE ENTITLED

AN ACT TO REQUIRE ALL-TERRAIN VEHICLES AND MOTORCYCLES MEETING CERTAIN CRITERIA TO BE REGISTERED WITH THE WILDLIFE RESOURCES COMMISSION, AND TO CHARGE A REGISTRATION FEE FOR ALL-TERRAIN VEHICLES OR MOTORCYCLES REGISTERED FOR OFF-ROAD USE.

The General Assembly of North Carolina enacts:

SECTION 1. Article 21 of Chapter 113 of the General Statutes is amended by adding a new section to read:

"§ 113-278. Registration of certain off-road vehicles required.

Except for vehicles exempted from registration under G.S. 20-51 or used primarily for agricultural purposes or by law enforcement, fire, rescue, and emergency medical service personnel in the performance of their duties, an all-terrain vehicle or motorcycle shall be registered with the Wildlife Resources Commission in accordance with G.S. 113-278.1 if it meets all of the following criteria:

- (1) The all-terrain vehicle or motorcycle is not otherwise required to be registered.
- (2) The all-terrain vehicle or motorcycle was manufactured in the year 2005 or later.
- (3) The all-terrain vehicle or motorcycle is intended for off-road operation."

SECTION 2. Article 21 of Chapter 113 of the General Statutes is amended by adding a new section to read:

"§ 113-278.1. Registration of all-terrain vehicles and motorcycles for off-road use.

(a) An all-terrain vehicle or motorcycle required to be registered pursuant to G.S. 113-278 must be registered with the Wildlife Resources Commission in accordance with this section.

(b) An owner registering an all-terrain vehicle or motorcycle for off-road use shall supply the following at the time of registration:

- (1) The Product Identification Number or Vehicle Identification Number.
- (2) A manufacturer's certificate of origin or title, or an inspection and indemnity bond if a manufacturer's certificate of origin or title is not available.

(c) The Wildlife Resources Commission shall issue an all-terrain vehicle or motorcycle being registered under this section a registration plate or sticker that is different in color or design from those issued by the Division of Motor Vehicles for similar vehicles so that law enforcement officers can easily recognize the registration plate or sticker and the fact that the



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1 vehicle upon which the plate or sticker is affixed must be operated off the roads, streets, and
2 highways of this State.

3 (d) All all-terrain vehicles or motorcycles registered for off-road use are subject to the
4 following title and registration fees:

5 (1) Registration fees. – The fee on an all-terrain vehicle or motorcycle registered
6 for off-road use shall be fifteen dollars (\$15.00).

7 (2) Title fees. – The fee for a title on an all-terrain vehicle or motorcycle
8 registered for off-road use shall be twenty-five dollars (\$25.00). The revenue
9 from the title fee shall be retained by the Wildlife Resources Commission to
10 operate the registration and titling system for off-road vehicles required to be
11 registered pursuant to G.S. 113-278.

12 (e) There is no requirement that an all-terrain vehicle or motorcycle registered for
13 off-road use has insurance on the vehicle or that the owner provides proof of financial
14 responsibility prior to the vehicle being registered.

15 (f) The Wildlife Resources Commission must collect any sales and use tax, and any
16 other tax required to be collected pursuant to Chapter 105 of the General Statutes, on an
17 all-terrain vehicle or motorcycle being registered for off-road use. If the applicant paid the sales
18 and use tax to a dealer in North Carolina, proof of payment to a dealer will be acceptable proof
19 to register the vehicle. If the off-road vehicle was purchased outside of North Carolina, the
20 Commission shall collect the applicable sales and use tax and submit it to the Department of
21 Revenue."

22 **SECTION 3.** This act becomes effective January 1, 2013.