

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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HOUSE BILL 102
PROPOSED COMMITTEE SUBSTITUTE H102-PCS40101-RW-2

Short Title: Utility Vehicles/Law Enforcement.

(Public)

Sponsors:

Referred to:

February 27, 2015

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE LAW ENFORCEMENT OFFICERS, EMERGENCY
3 PERSONNEL, AND CERTAIN MUNICIPAL AND COUNTY EMPLOYEES TO
4 OPERATE UTILITY VEHICLES ON SOME PUBLIC HIGHWAYS.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. G.S. 20-171.23 reads as rewritten:

7 "§ 20-171.23. Motorized ~~all-terrain~~all terrain vehicles of law enforcement officers and
8 fire, rescue, and emergency medical services permitted on certain highways.

9 (a) Law enforcement officers acting in the course and scope of their duties may operate
10 motorized ~~all-terrain vehicles, as defined in G.S. 14-159.3(b)~~all terrain vehicles and owned or
11 leased by the agency, or under the direct control of the incident commander, on: (i) public
12 highways where the speed limit is 35 miles per hour or less; and (ii) nonfully controlled access
13 highways with higher speeds for the purpose of traveling from a speed zone to an adjacent
14 speed zone where the speed limit is 35 miles per hour or less.

15 (b) Fire, rescue, and emergency medical services personnel acting in the course and
16 scope of their duties may operate motorized ~~all-terrain vehicles, as defined in~~
17 ~~G.S. 14-159.3(b)~~all terrain vehicles and owned or leased by fire, rescue, or emergency medical
18 services departments, or under the direct control of the incident commander, on: (i) public
19 highways where the speed limit is 35 miles per hour or less; and (ii) nonfully controlled access
20 highways with higher speeds for the purpose of traveling from a speed zone to an adjacent
21 speed zone where the speed limit is 35 miles per hour or less.

22 (c) This Part and all other State laws governing the operation of ~~all-terrain~~all terrain
23 vehicles apply to the operation of all-terrain vehicles authorized by this section.

24 (d) An ~~all-terrain~~all terrain vehicle operated pursuant to this section shall be equipped
25 with operable front and rear lights and a horn.

26 (e) A person operating an ~~all-terrain~~all terrain vehicle pursuant to this section shall
27 observe posted speed limits and shall not exceed the manufacturer's recommended speed for the
28 vehicle.

29 (f) A person operating an ~~all-terrain~~all terrain vehicle pursuant to this section shall
30 carry an official identification card or badge.

31 (g) For purposes of this section, the term "motorized all terrain vehicle" has the same
32 meaning as in G.S. 14-159.3, except that the term also includes utility vehicles, as defined in
33 this Chapter."

34 SECTION 2. G.S. 20-171.24 reads as rewritten:

35 "§ 20-171.24. Motorized ~~all-terrain~~all terrain vehicle use by employees of listed
36 municipalities and counties permitted on certain highways.



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1 (a) Municipal and county employees may operate motorized ~~all-terrain vehicles, as~~
2 ~~defined in G.S. 14-159.3(b)~~all terrain vehicles and owned or leased by the agency, on: (i)
3 public highways where the speed limit is 35 miles per hour or less; and (ii) nonfully controlled
4 access highways with higher speeds for the purpose of traveling from a speed zone to an
5 adjacent speed zone where the speed limit is 35 miles per hour or less.

6 (b) This Part and all other State laws governing the operation of ~~all-terrain~~all terrain
7 vehicles apply to the operation of ~~all-terrain~~all terrain vehicles authorized by this section.

8 (c) An ~~all-terrain~~all terrain vehicle operated pursuant to this section shall be equipped
9 with operable front and rear lights and a horn.

10 (d) A person operating an ~~all-terrain~~all terrain vehicle pursuant to this section shall
11 observe posted speed limits and shall not exceed the manufacturer's recommended speed for the
12 vehicle.

13 (e) A person operating an ~~all-terrain~~all terrain vehicle pursuant to this section shall
14 carry an official identification card or badge.

15 (e1) For purposes of this section, the term "motorized all terrain vehicle" has the same
16 meaning as in G.S. 14-159.3, except that the term also includes utility vehicles, as defined in
17 this Chapter.

18 (f) This section applies to the Towns of Ansonville, Atlantic Beach, Burgaw, Carolina
19 Beach, Cramerton, Dallas, Davidson, Duck, Emerald Isle, Enfield, Franklin, Indian Beach, Kill
20 Devil Hills, Kitty Hawk, Kure Beach, Lowell, Manteo, Murphy, Nags Head, North Topsail
21 Beach, Oakboro, Ocean Isle Beach, Pine Knoll Shores, Stanley, Surf City, Sylva, Topsail
22 Beach, Williamston, Wrightsville Beach, and Yanceyville, the Cities of Albemarle, Belmont,
23 Cherryville, Gastonia, Hamlet, Kings Mountain, Mount Holly, ~~and Rockingham~~Rockingham,
24 and Wilmington and the Counties of Cleveland, Currituck, Gaston, Surry, and Wilkes only."
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SECTION 3. This act is effective when it becomes law.