

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

FILED SENATE
Mar 11, 2021
S.B. 241
PRINCIPAL CLERK

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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:

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

4 The General Assembly of North Carolina enacts:

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

6 "(27) Passenger Vehicles. –

7 ...

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

18"

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

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

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

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



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

5 (2a) A modified utility vehicle shall be equipped with headlamps, stop lamps, turn
6 signal lamps, tail lamps, reflex reflectors, parking brakes, rearview mirrors,
7 speedometer, seat belts, and a vehicle identification number. Any such
8 required equipment shall be maintained in proper working order. If a modified
9 utility vehicle does not have a vehicle identification number, upon application
10 by the owner, the Division shall assign a vehicle identification number to the
11 modified utility vehicle prior to registration. The operator of and all
12 passengers on a modified utility vehicle that is not equipped with a windshield
13 and windshield wipers shall wear a safety helmet, with a retention strap
14 properly secured, that complies with Federal Motor Vehicle Safety Standard
15 (FMVSS) 218.

16 ...
17 (4) ~~The~~ Notwithstanding the provisions of any other subdivision of this section,
18 the Department of Transportation may prohibit the operation of low-speed
19 vehicles, mini-trucks, or modified utility vehicles on any road or highway if it
20 determines that the prohibition is necessary in the interest of safety.

21"

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