



HOUSE BILL 102: Utility Vehicles/Move-Over Changes

2015-2016 General Assembly

Committee:

Introduced by:

Analysis of: S.L. 2015-26

Date:

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SUMMARY: *S.L. 2015-26 does the following:*

- *Authorizes utility vehicles, in addition to law enforcement officials, fire, rescue, and emergency medical services personnel, to operate all-terrain vehicles on roads with a speed limit of 35 miles per hour or less.*
- *Authorizes all municipal and county employees to operate all-terrain vehicles and utility vehicles on roads with a speed limit of 35 mph or less.*
- *Effective October 1, 2015, modifies the State "move over" law to include vehicles being used in the collection of refuse, solid waste, or recycling.*

Except as otherwise provided, this act became effective May 21, 2015.

CURRENT LAW: Under current law:

- **Law enforcement officials, and fire, rescue, and emergency medical services personnel** acting in the course and scope of their duties are authorized to operate motorized all-terrain vehicles on roads with a speed limit of 35 mph or less, and cross over non-controlled access roads with higher speed limits while traveling on lower speed roads.
- **Municipal and county officials in 37 municipalities and 5 counties** are authorized to operate motorized all-terrain vehicles owned or leased by them on roads with a speed limit of 35 mph or less, and cross over non-controlled access roads with higher speed limits while traveling on lower speed roads.

BILL ANALYSIS: House Bill 102:

- **Section 1 adds utility vehicles** to the current law authorization for operation of all terrain vehicles by **law enforcement officials, fire, rescue, and emergency medical services personnel** on roads with a speed limit of 35 mph or less, and to cross over non-controlled access roads with higher speed limits while traveling on lower speed roads.
- **Section 2.1 makes a technical change**, authorizing the Revisor of Statutes to place a hyphen between the words "all" and "terrain" wherever the phrase "all terrain" appears in the following statutes: G.S. 14-134.2, G.S. 14-159.3, G.S. 20-171.23, G.S. 20-171.24, and G.S. 95-11.3.
- **Section 2 authorizes all municipal and county officials to operate all terrain and utility vehicles** on roads with a speed limit of 35 mph or less, and to cross over non-controlled access roads with higher speed limits while traveling on lower speed roads.
- **Section 3 modifies the State "move over" law** to include vehicles being used in the collection of refuse, solid waste, or recycling.



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EFFECTIVE DATE: This act became effective May 21, 2015, except for the "move over" law changes, which became effective October 1, 2015.

BACKGROUND:

- A "**motorized all-terrain vehicle**" is defined in G.S. 14-159.3 as a "two or more wheeled vehicle designed for recreational off road use."
- A "**utility vehicle**" is defined in G.S. 20-4.01(48c) as a " motor vehicle that is (i) designed for off road use and (ii) used for general maintenance, security, agricultural, or horticultural purposes. "Utility vehicle" does not include an all terrain vehicle or golf cart, as defined in this section, or a riding lawn mower."