



HOUSE BILL 102: Utility Vehicles/Law Enforcement

2015-2016 General Assembly

Committee: House Transportation
Introduced by: Rep. Davis
Analysis of: PCS to First Edition
H102-CSRW-2

Date: March 9, 2015
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SUMMARY: *House Bill 102 (proposed committee substitute) authorizes law enforcement officials; fire, rescue, and emergency medical services personnel; and municipal and county employees in listed jurisdictions to operate utility vehicles on some roads. In addition, the bill adds the City of Wilmington and the Town of Enfield to the list of municipalities whose municipal employees may operate utility vehicles and all terrain vehicles on certain roads.*

The proposed committee substitute corrects a typographical error and adds the Town of Enfield to Section 2 of the bill.

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 (PCS):

- **adds utility vehicles** to the current law authorization for operation of all terrain vehicles by **law enforcement officials; and fire, rescue, and emergency medical services ; and municipal and county officials in 37 municipalities and 5 counties** 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; and
- **adds the City of Wilmington and the Town of Enfield** to the list of municipalities whose municipal employees may operate utility vehicles and 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.

EFFECTIVE DATE: This act is effective when it becomes law.

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."

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- 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."