



HOUSE BILL 102: Utility Vehicles/Law Enforcement

2015-2016 General Assembly

Committee: Senate Transportation
Introduced by: Rep. Davis
Analysis of: PCS to Third Edition
H102-CSRW-25

Date: May 6, 2015
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SUMMARY: *House Bill 102(PCS):*

- *Adds utility vehicles to the current authorization for law enforcement officials; and fire, rescue, and emergency medical services personnel to operate all terrain vehicles on roads with a speed limit of 35 mph 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.*
- *The PCS adds the provisions of Senate Bill 295, modifying the State "move over" law to include vehicles being used in the collection of refuse, solid waste, or recycling.*

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; and fire, rescue, and emergency medical services** 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 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 is effective when it becomes law, except for Section 3, 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."