



HOUSE BILL 23: UTV Regulation/Town of Spencer.

2021-2022 General Assembly

Committee:	House Local Government. If favorable, re-refer to Judiciary 2. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	February 16, 2021
Introduced by:	Rep. Warren	Prepared by:	Nicholas Giddings Staff Attorney
Analysis of:	PCS to First Edition H23-CSBA-1		

OVERVIEW: *House Bill 23 would authorize the Town of Spencer in Rowan County to regulate the operation of utility vehicles on any public street or road within the Town.*

The PCS makes a technical change to correct an erroneous omission by updating the list of municipalities authorized to regulate the operation of utility vehicles within its' boundaries to include the City of Lowell. The City of Lowell was granted this authority in 2013 but was not included in the 1st edition of the bill.

CURRENT LAW: Under current law, vehicles intended to be operated on the streets and highways of the State must be registered (G.S. 20-50). Utility vehicles may not be registered (G.S. 20-54(8)) and therefore may not operate on streets and highways.

A utility vehicle is defined in G.S. 20-4.01(48c) as a motor vehicle designed for off-road use that is used for general maintenance, security, agricultural, and horticultural purposes. The term does not include all-terrain vehicles, golf carts, or riding lawn mowers.

BILL ANALYSIS: House Bill 23 would authorize the Town of Spencer, by ordinance, to regulate the operation of utility vehicles on any public street or road within the Town. In doing so, the Town may require the registration of utility vehicles, specify the persons authorized to operate utility vehicles, and specify required equipment, load limits, and the hours and methods of operation of the utility vehicles.

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

BACKGROUND: Similar legislation has been enacted for the Towns of Beech Mountain, Cramerton, North Topsail Beach, and Seven Devils, and the Cities of Conover and Lowell.

S.L. 2009-459 authorized all counties and cities to regulate the operation of golf carts. The regulation of utility vehicles has not been authorized Statewide.

Jeffrey Hudson
Director



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Legislative Analysis
Division
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