



# HOUSE BILL 23: UTV Regulation/Certain Towns.

2021-2022 General Assembly

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| <b>Committee:</b> Senate Rules and Operations of the Senate | <b>Date:</b> July 14, 2021         |
| <b>Introduced by:</b> Rep. Warren                           | <b>Prepared by:</b> Kелlette Wade* |
| <b>Analysis of:</b> Third Edition                           | Committee Co-Counsel               |

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

**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 Towns of Banner Elk and Spencer, by ordinance, to regulate the operation of utility vehicles on any public street or road within the Towns. In doing so, the Towns 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.

*\*Nicholas Giddings substantially contributed to this summary.*

Jeffrey Hudson  
Director



Legislative Analysis  
Division  
919-733-2578