



# SENATE BILL 241: Modified Utility Vehicle Definition.

2021-2022 General Assembly

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<b>Committee:</b>	Senate Transportation. If favorable, re-refer to Rules and Operations of the Senate	<b>Date:</b>	April 14, 2021
<b>Introduced by:</b>	Sens. Jarvis, Sawyer, Johnson	<b>Prepared by:</b>	Wendy Ray
<b>Analysis of:</b>	PCS to First Edition S241-CSSU-8		Staff Attorney

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**OVERVIEW:** *The Proposed Committee Substitute for Senate Bill 241 would broaden the definition of modified utility vehicle and amend the restrictions and requirements applicable to modified utility vehicles that may be registered and operated on highways.*

**CURRENT LAW:** As a general rule, motor vehicles intended to be operated on highways in North Carolina must be registered with the Division of Motor Vehicles, and vehicles designed for off-road use may not be registered and operated on highways. In 2020, legislation was passed to define a "modified utility vehicle" and authorize its operation on highways with restrictions similar to those that apply to mini-trucks. A modified utility vehicle that is properly registered and insured may be operated on highways with a posted speed limit of 55 mph or less, but the Department of Transportation may prohibit their operation on any highway if it determines the prohibition is necessary in the interest of safety.

A modified utility vehicle is a four-wheeled motor vehicle manufactured for off-road use with specified equipment, not including a vehicle identification number (the Division must assign one prior to registration if it does not have one), that doesn't require the operator or passenger to straddle a seat. It is narrowly defined to include only vehicles with an engine displacement greater than 2,400 cubic centimeters, a length of 142 inches or greater, a width of 58 inches or greater, a height of 70 inches or greater, and a maximum speed capability of 40 mph or greater.

**BILL ANALYSIS:** The PCS for Senate Bill 241 would broaden the current definition of modified utility vehicle by:

- Including smaller vehicles (lowering the minimum length of the vehicle from 142 inches to 110 inches.)
- Eliminating any engine displacement requirement.
- Eliminating the requirement that it be equipped with a windshield and windshield wipers (if not, the operator and passengers would be required to wear helmets when operating on a highway.)
- Including custom-built vehicles.

The PCS would also amend the restrictions that apply to operation of modified utility vehicles on highways so they would not be able to operate on highways with four or more travel lanes unless the posted speed limit is 35 mph or less.

**EFFECTIVE DATE:** The act would become effective October 1, 2021.

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