

March 17, 2009

**S 642. REQUIRE OFF-ROAD VEHICLES TO BE REGISTERED.** Filed 3/17/09. *TO REQUIRE ALL-TERRAIN VEHICLES AND MOTORCYCLES THAT ARE USED AS OFF-ROAD VEHICLES TO BE REGISTERED WITH THE DIVISION OF MOTOR VEHICLES.*

Enacts new GS 20-63.2 to require that any all-terrain vehicle registered for off-road use only be registered in the same manner as any other vehicle registered pursuant to this Chapter. The registration plate for an off-road vehicle must be different in color or design to enable law enforcement officers to easily recognize the plate and that the vehicle is to be operated off state roads, streets, and highways. Specifies that there is no requirement that a vehicle registered for off-road use have insurance on the vehicle or that the owner provide proof of financial responsibility prior to registration. Requires that the Division of Motor Vehicles (Division) collect any sales and use tax, and any other tax required by GS Chapter 105, on a registered off-road vehicle. Proof of payment of the sales and use tax to a NC dealer is acceptable proof to register the vehicle. If the vehicle is purchased out of state the Division must collect the tax and submit it to the Department of Revenue.

Amends GS 20-87 to establish a \$15 base registration fee for an off-road vehicle and a \$22 base registration fee for an off-road vehicle equipped with an additional form of device designed to transport persons or property.

Makes conforming changes to GS 20-50(a) and adds that vehicles specifically exempted from registration in GS 20-51 or used solely for agricultural purposes are not required to be registered with the Division. Amends GS 20-51 to include in the list of vehicles exempt from registration and certificate of title a motorcycle as defined in GS 20-4.01(27)d. that is intended to be driven off-road only.

Effective October 1, 2009.

**Intro. by Berger of Franklin.**

GS 20

May 19, 2009

**S 642. REQUIRE OFF-ROAD VEHICLES TO BE REGISTERED.** Filed 3/17/09. Senate committee substitute makes the following changes to 1st edition. Deletes amendments to GS 20-50(a) that provided for a specified exemption for vehicles registered under GS 20-51 or those used only for agricultural purposes from vehicle registration requirements in accordance with GS 20-52. Instead, enacts new subsection (a1) to require the registration with the DMV of an all-terrain vehicle (ATV) or motorcycle that meets all of the following criteria: (1) it is not otherwise required to be registered, (2) it was manufactured in 2005 or later, and (3) it is intended for off-road operation. Provides an exemption from the registration requirements for vehicles that are: (1) exempted from registration under GS 20-51; (2) used primarily for agricultural purposes; or (3) used by law enforcement, fire, rescue, and emergency medical service personnel in the performance of their duties. Deletes proposed amendment to GS 20-51, which added motorcycles intended to be driven off-road only to the list of vehicles exempted from registration and certificate of title.

Deletes proposed new GS 20-63.2 and instead inserts those provisions in new GS 20-53.1. Clarifies that the provisions apply to all-terrain vehicles or motorcycles required to be registered (was, all-terrain vehicles registered for off-road use only). Also requires the following to be supplied at the time of registration: (1) a Product Identification Number or Vehicle Identification Number and (2) a manufacturer's certificate of origin or title, or an inspection and indemnity bond if a certificate of origin or title is not available. Specifies that any ATV or motorcycle registered for off-road use is subject to the title and registration fees provided in GS 20-85 (Title and registration fees) and GS 20-87 (Passenger vehicle registration fees).

Makes conforming changes to proposed GS 20-87(13).