

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE BILL 642
Commerce Committee Substitute Adopted 5/19/09

Short Title: Require Off-Road Vehicles to Be Registered. (Public)

Sponsors:

Referred to:

March 18, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO REQUIRE ALL-TERRAIN VEHICLES AND MOTORCYCLES THAT ARE
3 USED AS OFF-ROAD VEHICLES TO BE REGISTERED WITH THE DIVISION OF
4 MOTOR VEHICLES.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 20-50 is amended by adding a new subsection to read:

7 "(a1) Except for vehicles exempted from registration under G.S. 20-51 or used primarily
8 for agricultural purposes or by law enforcement, fire, rescue, and emergency medical service
9 personnel in the performance of their duties, an all-terrain vehicle or motorcycle that meets all
10 of the following criteria shall be registered with the Division in accordance with G.S. 20-53.1:

11 (1) The all-terrain vehicle or motorcycle is not otherwise required to be
12 registered.

13 (2) The all-terrain vehicle or motorcycle was manufactured in the year 2005 or
14 later.

15 (3) The all-terrain vehicle or motorcycle is intended for off-road operation."

16 **SECTION 2.** Article 3 of Chapter 20 of the General Statutes is amended by adding
17 a new section to read:

18 **§ 20-53.1. Registration of all-terrain vehicles and motorcycles for off-road use.**

19 (a) An all-terrain vehicle or motorcycle required to be registered under G.S. 20-50(a1)
20 must be registered in the same manner as any other vehicle registered under this Chapter and in
21 accordance with this section.

22 (b) An owner registering an all-terrain vehicle or motorcycle for off-road use must
23 supply the following at the time of registration:

24 (1) The Product Identification Number or Vehicle Identification Number.

25 (2) A manufacturer's certificate of origin or title, or an inspection and indemnity
26 bond if a manufacturer's certificate of origin or title is not available.

27 (c) The Division must issue an all-terrain vehicle or motorcycle being registered under
28 this section a registration plate or sticker that is different in color or design so that law
29 enforcement officers can easily recognize the registration plate or sticker and the fact that the
30 vehicle upon which the plate or sticker is affixed must be operated off the roads, streets, and
31 highways of this State.

32 (d) An all-terrain vehicle or motorcycle registered for off-road use is subject to the title
33 and registration fees provided in G.S. 20-85 and G.S. 20-87.

34 (e) There is no requirement that an all-terrain vehicle or motorcycle registered for
35 off-road use have insurance on the vehicle or that the owner provide proof of financial
36 responsibility prior to the vehicle being registered.



1 (f) The Division must collect any sales and use tax, and any other tax the Division is
2 required to collect pursuant to Chapter 105 of the General Statutes, on an all-terrain vehicle or
3 motorcycle being registered for off-road use. If the applicant paid the sales and use tax to a
4 dealer in North Carolina, proof of payment to a dealer will be acceptable proof to register the
5 vehicle. If the off-road vehicle was purchased outside of North Carolina, the Division shall
6 collect the applicable sales and use tax and submit it to the Department of Revenue."

7 **SECTION 3.** G.S. 20-87 is amended by adding a new subdivision to read:

8 "**§ 20-87. Passenger vehicle registration fees.**

9 These fees shall be paid to the Division annually for the registration and licensing of
10 passenger vehicles, according to the following classifications and schedules:

11 ...

12 (13) Off-Road All-Terrain Vehicles and Motorcycles. – The base fee on an
13 all-terrain vehicle or motorcycle registered for off-road use shall be fifteen
14 dollars (\$15.00) except that when an all-terrain vehicle or motorcycle is
15 equipped with an additional device designed to transport persons or
16 property, the base fee shall be twenty-two dollars (\$22.00)."

17 **SECTION 4.** This act becomes effective October 1, 2009.