

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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SENATE BILL 785*

Short Title: ATV Use for Emergencies.-AB

(Public)

Sponsors: Senators Kerr and Purcell.

Referred to: Judiciary II (Criminal).

March 15, 2007

A BILL TO BE ENTITLED

AN ACT TO ALLOW ALL LAW ENFORCEMENT OFFICERS, MUNICIPAL EMPLOYEES, AND FIRE, RESCUE, AND EMERGENCY MEDICAL SERVICES PERSONNEL THROUGHOUT THE STATE TO USE ALL-TERRAIN VEHICLES ON SOME PUBLIC HIGHWAYS WHILE ACTING IN THE COURSE AND SCOPE OF THEIR DUTIES; TO REPEAL LOCAL ACTS ON THE SUBJECT; AND TO MANDATE THAT ATV SAFETY COURSES BE APPROVED BY THE COMMISSIONER OF INSURANCE.

The General Assembly of North Carolina enacts:

SECTION 1. Article 3 of Chapter 20 of the General Statutes is amended by adding a new section to read:

"§ 20-114.4. Motorized all-terrain vehicles of law enforcement officers, municipal employees, and fire, rescue, and emergency medical services permitted on certain highways.

(a) Law enforcement officers enforcing the laws of the State and municipal employees may use motorized all-terrain vehicles, as defined in G.S. 14-159.3(b) and owned or leased by the governmental agency, on public highways where the speed limit is 35 miles per hour or less. Law enforcement officers and municipal employees may operate motorized all-terrain vehicles on nonfully controlled access highways with higher speeds for the purpose of traveling from a speed zone to an adjacent speed zone where the speed limit is 35 miles per hour or less. As used in this subsection, the term "municipal employee" includes employees of a county.

(b) Fire, rescue, and emergency medical services personnel acting in the course and scope of their duties may use motorized all-terrain vehicles, as defined in G.S. 14-159.3(b) and owned or leased by fire, rescue, or emergency medical services departments, on public highways where the speed limit is 35 miles per hour or less and may operate motorized all-terrain vehicles on nonfully controlled access highways with higher speeds for the purpose of traveling from a speed zone to an adjacent speed zone where the speed limit is 35 miles per hour or less.

1 (c) Part 10C of Article 3 of this Chapter and all other State laws governing the
2 operation of all-terrain vehicles apply to the operation of all-terrain vehicles authorized
3 by this section."

4 **SECTION 2.** S.L. 2004-108, Section 1 of S.L. 2005-305, S.L. 2006-25,
5 Sections 1 and 2 of S.L. 2006-116, Section 1 of S.L. 2006-166, and Section 36(b) of
6 S.L. 2006-264 are repealed.

7 **SECTION 3.** G.S. 20-171.20 reads as rewritten:

8 "**§ 20-171.20. Safety training and certificate.**

9 Effective October 1, 2006, every all-terrain vehicle operator born on or after January
10 1, 1990, shall possess a safety certificate indicating successful completion of an
11 all-terrain vehicle safety course sponsored or approved by the All-Terrain Vehicle
12 Safety ~~Institute~~. Institute or by another all-terrain vehicle safety course approved by the
13 Commissioner of Insurance."

14 **SECTION 4.** This act becomes effective October 1, 2007.