GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2017

H HOUSE BILL 872

Short Title:	ATV & Motorcycles Off-Road Fund.	(Public)
Sponsors:	Representative Yarborough.	
	For a complete list of sponsors, refer to the North Carolina General Assembly we	eb site.
Referred to:	Appropriations	

April 25, 2017

A BILL TO BE ENTITLED

AN ACT TO REQUIRE ALL-TERRAIN VEHICLES AND MOTORCYCLES MEETING
CERTAIN CRITERIA TO BE REGISTERED WITH THE WILDLIFE RESOURCES
COMMISSION AND TO CHARGE A REGISTRATION FEE FOR ALL-TERRAIN
VEHICLES OR MOTORCYCLES REGISTERED FOR OFF-ROAD USE.

The General Assembly of North Carolina enacts:

SECTION 1. Article 21 of Chapter 113 of the General Statutes is amended by adding a new section to read:

"§ 113-278. Registration of certain off-road vehicles required.

Except for vehicles exempted from registration under G.S. 20-51 or used primarily for agricultural purposes or by law enforcement, fire, rescue, and emergency medical service personnel in the performance of their duties, an all-terrain vehicle or motorcycle shall be registered with the Wildlife Resources Commission in accordance with G.S. 113-278.1 if it meets all of the following criteria:

- (1) The all-terrain vehicle or motorcycle is not otherwise required to be registered.
- (2) The all-terrain vehicle or motorcycle was manufactured in the year 2005 or later.
- (3) The all-terrain vehicle or motorcycle is intended for off-road operation."

SECTION 2. Article 21 of Chapter 113 of the General Statutes is amended by adding a new section to read:

"§ 113-278.1. Registration of all-terrain vehicles and motorcycles for off-road use.

- (a) An all-terrain vehicle or motorcycle required to be registered pursuant to G.S. 113-278 must be registered with the Wildlife Resources Commission in accordance with this section.
- (b) An owner registering an all-terrain vehicle or motorcycle for off-road use shall supply the following at the time of registration:
 - (1) The Product Identification Number or Vehicle Identification Number.
 - (2) A manufacturer's certificate of origin or title, or an inspection and indemnity bond if a manufacturer's certificate of origin or title is not available.
- (c) The Wildlife Resources Commission shall issue an all-terrain vehicle or motorcycle being registered under this section a registration plate or sticker that is different in color or design from those issued by the Division of Motor Vehicles for similar vehicles so that law enforcement officers can easily recognize the registration plate or sticker and the fact that the



- vehicle upon which the plate or sticker is affixed must be operated off the roads, streets, and highways of this State.
- (d) All all-terrain vehicles or motorcycles registered for off-road use are subject to the following title and registration fees:
 - (1) Registration fees. The fee on an all-terrain vehicle or motorcycle registered for off-road use shall be fifteen dollars (\$15.00).
 - <u>Title fees. The fee for a title on an all-terrain vehicle or motorcycle registered for off-road use shall be twenty-five dollars (\$25.00). The revenue from the title fee shall be retained by the Wildlife Resources Commission to operate the registration and titling system for off-road vehicles required to be registered pursuant to G.S. 113-278.</u>
- (e) There is no requirement that an all-terrain vehicle or motorcycle registered for off-road use has insurance on the vehicle or that the owner provides proof of financial responsibility prior to the vehicle being registered.
- (f) The Wildlife Resources Commission must collect sales and use tax, and any other tax required to be collected pursuant to Chapter 105 of the General Statutes, on an all-terrain vehicle or motorcycle being registered for off-road use and submit it to the Department of Revenue. A credit will be allowed in accordance with G.S. 105-164.6(c) if the sales and use tax was paid at the time of purchase and the owner provides acceptable proof of payment at the time of registration."

SECTION 3. This act becomes effective January 1, 2018.