

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 2007**

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**HOUSE BILL 767\***

Short Title:   ATV Use for Emergencies.-AB

(Public)

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Sponsors:   Representatives Sutton; and Faison.

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Referred to:  Transportation, if favorable, Judiciary III.

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March 15, 2007

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

9 The General Assembly of North Carolina enacts:

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

12 **"§ 20-114.4. Motorized all-terrain vehicles of law enforcement officers, municipal**  
13 **employees, and fire, rescue, and emergency medical services permitted**  
14 **on certain highways.**

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

23       (b) Fire, rescue, and emergency medical services personnel acting in the course  
24 and scope of their duties may use motorized all-terrain vehicles, as defined in  
25 G.S. 14-159.3(b) and owned or leased by fire, rescue, or emergency medical services  
26 departments, on public highways where the speed limit is 35 miles per hour or less and  
27 may operate motorized all-terrain vehicles on nonfully controlled access highways with  
28 higher speeds for the purpose of traveling from a speed zone to an adjacent speed zone  
29 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.