**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56‑2‑140 SO AS TO DEFINE THE TERM “UTILITY TERRAIN VEHICLE” AND PROVIDE FOR THE REGISTRATION AND OPERATION OF THEM ON THE HIGHWAYS AND STREETS OF THE STATE.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 1, Chapter 2, Title 56 of the 1976 Code is amended by adding:

“Section 56‑2‑140. (A) For the purposes of this section:

(1) ‘Utility Terrain Vehicle’ (UTV) means a side‑by‑side, four‑wheel drive, off‑road vehicle: intended to transport individuals, cargo, or both with a top speed in excess of twenty‑five miles per hour; eighty inches or less in overall width; designed to travel on four or more wheels, two or four tracks, or combinations of four or more tracks and wheels; using a steering wheel for steering control; with a nonstraddle seat; and with a Gross Vehicle Weight Rating of no more than four thousand pounds; and

(2) Utility Terrain Vehicle does not include golf carts or vehicles specially designed to carry a disabled person.

(B) An individual or business owner of a UTV may obtain a permit decal and registration from the Department of Motor Vehicles upon presenting proof of ownership and liability insurance for the UTV and upon payment of a five dollar fee.

(C) A permitted UTV may be operated on a secondary highway or street for which the posted speed limit is fifty‑five miles an hour or less.

(D) A permitted UTV may cross a highway or street at an intersection where the highway has a posted speed limit of more than fifty‑five miles an hour.

(E) A permitted UTV may be operated along a secondary highway or street on an island not accessible by a bridge designed for use by automobiles.

(F) A person operating a permitted UTV must be at least sixteen years of age and hold a valid driver’s license. The operator of a permitted UTV being operated on a highway or street must have in his possession:

(1) the registration certificate issued by the department;

(2) proof of liability insurance for the UTV; and

(3) his driver’s license.

(G) A UTV permit must be replaced with a new permit every five years, or at the time the permit holder changes his address.

(H) A permitted UTV must be equipped with:

(1) a Type 1 or Type 2 seat belt assembly conforming to 49 C.F.R. 571.209 installed at each designated seating position;

(2) operable headlights; and

(3) operable brake lights.

(I) The driver of a permitted UTV, when it is being operated on the public streets and highways of this State, must wear a fastened safety belt that complies with the provisions contained in subsection (H). A driver who violates this subsection must be fined pursuant to Section 56‑5‑6540.”

SECTION 2. This act takes effect upon approval by the Governor.

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