

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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SENATE BILL 195
Insurance Committee Substitute Adopted 4/14/11

Short Title: Operation of Mopeds.

(Public)

Sponsors:

Referred to:

March 3, 2011

1 A BILL TO BE ENTITLED
2 AN ACT TO REQUIRE MOPEDS TO BE REGISTERED WITH THE DIVISION OF
3 MOTOR VEHICLES AND TO HAVE IN FULL FORCE AND EFFECT A POLICY OF
4 FINANCIAL RESPONSIBILITY.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. G.S. 20-10.1 reads as rewritten:

7 "§ 20-10.1. Mopeds.

8 (a) General Provisions. – It shall be unlawful for any person who is under the age of
9 ~~16~~17 years and has not completed the graduated drivers license process to operate a ~~moped~~ as
10 moped, as defined in ~~G.S. 105-164.3~~ G.S. 105-164.3, upon any highway or public vehicular
11 area of this State.

12 (b) Passengers. – It shall be unlawful to have any passengers on a moped.

13 (c) Registration. – Mopeds shall be registered with the Division in the same manner as
14 any other motor vehicle. The owner shall pay the same fees and be issued the same type of
15 registration card and plate issued for a motorcycle. In order to be registered with the Division
16 and operated upon a highway or public vehicular area, a moped must meet the following
17 requirements:

18 (1) The moped has a vehicle identification number, as required under
19 G.S. 20-52(a)(2).

20 (2) The moped was designed and manufactured for use on public highways.

21 (d) Financial Responsibility. – It shall be unlawful to operate a moped on a public street
22 or highway or public vehicular area without having in full force and effect financial
23 responsibility as required by the provisions of Articles 9A and 13 of this Chapter. The Division
24 shall treat a moped the same as any other motor vehicle for the purposes of compliance with
25 Articles 9A and 13 of this Chapter."

26 SECTION 2. G.S. 20-51(9) is repealed.

27 SECTION 3. G.S. 20-140.4 reads as rewritten:

28 "§ 20-140.4. Special provisions for motorcycles and mopeds.

29 (a) No person shall operate a motorcycle or moped upon a highway or public vehicular
30 area:

31 (1) When the number of persons upon ~~such motorcycle or moped~~, a motorcycle,
32 including the operator, shall exceed the number of persons which it was
33 designed to carry.

34 (2) Unless the operator and all passengers thereon wear on their heads, with a
35 retention strap properly secured, safety helmets of a type that complies with
36 Federal Motor Vehicle Safety Standard (FMVSS) 218.



1 (b) Violation of any provision of this section shall not be considered negligence per se
2 or contributory negligence per se in any civil action.

3 (c) Any person convicted of violating this section shall have committed an infraction
4 and shall be fined according to G.S. 20-135.2A(e) and (f)."

5 **SECTION 4.** This act becomes effective July 1, 2012, and applies to offenses
6 committed on or after that date.