

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE BILL 135

Short Title: Operation of Mopeds.

(Public)

Sponsors: Senator Rand.

Referred to: Commerce.

February 12, 2009

A BILL TO BE ENTITLED

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

The General Assembly of North Carolina enacts:

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

"§ 20-10.1. Mopeds.

(a) General Provisions. – It shall be unlawful for any person who is under the age of 16 years to operate a ~~mopedas~~ moped, as defined in G.S. 105-164.3, upon any highway or public vehicular area of this State.

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

(c) Registration. – Mopeds shall be registered with the Division in the same manner as any other motor vehicle. The owner shall pay the same fees and be issued the same type of registration card and plate issued for a motorcycle.

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

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 G.S. 20-51(9) is repealed.

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

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

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

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

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

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

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

SECTION 4. This act becomes effective December 1, 2009, and applies to offenses committed on or after that date.

