SOUTH CAROLINA DEPARTMENT OF MOTOR VEHICLES

UTILITY TERRAIN VEHICLES

FREQUENTLY ASKED QUESTIONS AND ANSWERS

Q1. What does Senate Bill 222, now Act 164, do and when does it take effect?

A1. Effective November 18, 2026, Act 164 allows qualifying utility terrain vehicles (UTVs) to be titled and registered for limited use on public highways. It also sets insurance, equipment, driver, passenger, and road-use requirements. Registered UTVs are exempt from county property tax.

Q2. Does every UTV owner have to register their vehicle?

A2. No. Registration is only required if the owner wants to operate the UTV on a public highway. A UTV used only on private property or off-road does not have to be registered under the Act.

Q3. How does the law define a UTV?

A3. A qualifying UTV must:

- Be a side-by-side, four-wheel-drive vehicle
- Have a top speed greater than 55 miles per hour
- Have an engine of at least 450 cubic centimeters
- Be 80 inches wide or less
- Have a steering wheel instead of handlebars
- Have a bucket, bench, or other non-straddle seat
- Have a Gross Vehicle Weight Rating of no more than 4,000 pounds
- Travel on four or more wheels, tracks, or a combination of both
- Identified as an UTV on the MCO or title

A vehicle must meet all these requirements to qualify.

Q4. Do ATVs, all side-by-sides, and golf carts qualify?

A4. No. A vehicle must meet every part of the UTV definition. For example, straddle-seat ATVs and vehicles with engines smaller than 450 cubic centimeters do not qualify. Golf carts are covered by separate laws.

Q5. What do I need to title and register a UTV?

A5. You must provide a title or MCO, proof of liability insurance, and payment of the required fee. A title must already be issued, or a title application must be submitted, before the UTV can be registered.

Q6. What is required if I do not have a title or MCO?

A6. You must complete Form TI-021A, Affidavit of Ownership for a Motor Vehicle or Mobile Home, and mail the completed form to the address provided on the form.

Q7. Will a UTV title look different from a regular vehicle title?

A7. No. However, the title will include an “Off-Road Use Only” brand because the UTV was not originally made for public-road use. The UTV may still be registered for the limited road use allowed by the Act.

Q8. Will the UTV receive a license plate, and how often must it be renewed?

A8. Yes. The license plate must be attached to the rear of the UTV and remain visible. The registration fee and plate fee are $10 together, and must be renewed every two years, directly with the SCDMV.

Q9. Are UTVs subject to sales tax, property tax, or road-use fees?

A9. UTVs are subject to sales tax. Registered UTVs and Farm UTVs are exempt from county property tax, so the county will not issue a property-tax bill or receipt. A road-use fee may apply if the UTV is powered by electricity, hydrogen, or another qualifying fuel.

Q10. Are SCATE card holders exempt from paying sales tax when purchasing a UTV?

A10. Yes. UTVs are considered farm machinery when used for planting, cultivating, or harvesting farm crops for sale. Customers must have a valid South Carolina Agricultural Tax Exemption (SCATE) card to qualify for the sales tax exemption.

Q11. Is liability insurance required?

A11. Yes. Proof of liability insurance is required to register a UTV and operate it on a public highway. The operator must carry proof of insurance while driving.

Q12. Will my current automobile insurance policy cover my UTV?

A12. Contact your insurance agent or carrier to confirm your coverage. The type of coverage needed may depend on your policy and UTV.

Q13. What happens if my insurance lapses after registration?

A13. Registered UTVs are subject to the same insurance-verification and suspension requirements as other registered motor vehicles.

Q14. What are the age and license requirements to operate a UTV?

A14. The operator must be at least 17 years old and hold a valid driver's license that allows driving at any time.

A beginner's permit, moped operator's license, temporary alcohol license, route-restricted license, provisional license, or motorcycle-only license does not qualify. The operator must carry their driver's license, registration, and proof of insurance while driving.

Q15. Are there age restrictions for passengers?

A15. Yes. A child younger than eight (8) years old may not ride in a UTV being operated on a public highway.

Q16. Are helmets or other protective gear required?

A16. Yes. Operators and passengers younger than 21 must wear the protective gear required by South Carolina law while the UTV is being operated on a public highway.

Q17. Are seat belts and other safety equipment required?

A17. Yes. Every occupant must wear a fastened seat belt. The UTV must have a seat belt at each designated seating position, as well as working headlights, brake lights, taillights, and turn signals.

Q18. Can a UTV have a modified exhaust system?

A18. A UTV may not be operated on a public road if its exhaust system has been modified to make it louder than the original manufacturer's design.

Q19. Is there an exception for farmers?

A19. Yes. A farmer with a valid South Carolina Agricultural Tax Exemption card and driver's license may operate certain UTVs or similar vehicles within 10 miles of the agricultural operation. The vehicle must have a top speed under 55 miles per hour and does not have to be registered under this exception.

Q20. Where may a registered UTV be driven?

A20. A UTV may not be driven on an interstate highway. Unless a local ordinance provides otherwise, it may only be driven:

- On a secondary highway with a speed limit of 55 miles per hour or less
- Within 10 miles of the address listed on the registration
- Within 10 miles of a gated community's entrance or exit when the registered address is inside the community

A UTV may cross a highway with a speed limit over 55 miles per hour at an intersection, but it may not travel along that highway. The South Carolina Department of Transportation may also prohibit UTVs on certain highways for safety reasons.

Q21. Can a city or county change the local UTV rules?

A21. Yes. A city or county may set local rules for when, where, and how UTVs may be operated. Local governments may allow nighttime operation, but they cannot allow UTVs on roads with speed limits greater than 55 miles per hour. They also cannot charge a separate road-use tax or fee.

Q22. Where can I find additional information or answers to questions about UTVs?

A22. For additional information, please refer to the following state agency resources:

South Carolina Department of Public Safety (SCDPS)
UTV Laws and Requirements

South Carolina Department of Agriculture (SCDA)
SCATE Frequently Asked Questions
Email: scate@scda.sc.gov
Phone: 803-734-2210

South Carolina Department of Revenue (SCDOR)
Exemptions for South Carolina Farmers
Email: FarmExemption@dor.sc.gov *(for agricultural tax exemptions and SCATE-related tax questions only)*