

§ 130A-412.7. Manner of making anatomical gift before donor's death.

(a) A donor may make an anatomical gift by any of the following methods:

- (1) By authorizing that a statement or symbol be imprinted on the donor's drivers license or identification card indicating that the donor has made an anatomical gift. A donor who originally became a donor in another jurisdiction by this method and applies for a drivers license or identification card in this State is required to authorize that a statement or symbol be imprinted on the donor's drivers license or identification card issued in this State in order for the anatomical gift to be valid under this subdivision. Anatomical gifts made by this method shall not include a donation of the donor's body.
- (2) In a will.
- (3) During a terminal illness or injury of the donor, by any form of communication addressed to at least two adults, at least one of whom is a disinterested witness.
- (4) As provided in subsection (b) of this section.

(b) A donor or other person authorized to make an anatomical gift under G.S. 130A-412.6 may make a gift by a signed donor card or other record signed by the donor or other person making the gift or by authorizing that a statement or symbol indicating that the donor has made an anatomical gift be included on a donor registry. If the donor or other person is physically unable to sign a record, the record may be signed by another individual at the direction of the donor or other person and must:

- (1) Be witnessed by at least two adults, at least one of whom is a disinterested witness, who have signed at the request of the donor or the other person; and
- (2) State that it has been signed and witnessed as provided in subdivision (1) of this subsection.

(c) Revocation, suspension, expiration, or cancellation of a drivers license or identification card upon which an anatomical gift is indicated does not invalidate the gift.

(c1) A statement or symbol on a drivers license or identification card issued in this State indicating that the donor has made an anatomical gift shall remain on the donor's drivers license or identification card until the donor revokes consent to make an anatomical gift by requesting removal of the statement or symbol from the drivers license or identification card in the manner prescribed by the Division of Motor Vehicles.

(d) An anatomical gift made by will takes effect upon the donor's death whether or not the will is probated. Invalidation of the will after the donor's death does not invalidate the gift. (2007-538, s. 1; 2019-143, s. 1; 2021-32, ss. 1, 2.)