

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

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**HOUSE BILL 110
Committee Substitute Favorable 5/17/01
Senate Finance Committee Substitute Adopted 9/17/01**

Short Title: Various New Special License Plates.

(Public)

Sponsors:

Referred to:

February 14, 2001

A BILL TO BE ENTITLED

1 AN ACT TO ESTABLISH A TRAFFIC CITATION PROCEDURE INVOLVING
2 INDIVIDUALS CLAIMING DIPLOMATIC IMMUNITY AND TO AUTHORIZE
3 THE DIVISION OF MOTOR VEHICLES TO ISSUE THE FOLLOWING NEW
4 SPECIAL REGISTRATION PLATES: AUDUBON NORTH CAROLINA; FIRST
5 IN FORESTRY; MILITARY VETERAN; WORLD WAR II VETERAN, KOREAN
6 CONFLICT VETERAN, AND OTHER MILITARY WARTIME VETERANS FOR
7 WHICH THE U.S. DEPARTMENT OF DEFENSE HAS AUTHORIZED A
8 CAMPAIGN BADGE OR MEDAL; SPECIAL FORCES ASSOCIATION; U.S.
9 NAVY SPECIALTY; THE V FOUNDATION FOR CANCER RESEARCH;
10 HARLEY OWNERS' GROUP; ROCKY MOUNTAIN ELK FOUNDATION; AND
11 BLUE RIDGE PARKWAY FOUNDATION.
12

13 The General Assembly of North Carolina enacts:

14 **SECTION 1.(a)** G.S. 20-79.4(b) reads as rewritten:

15 "(b) Types. – The Division shall issue the following types of special registration
16 plates:

17 . . .

18 (3b) Audubon North Carolina. – Issuable to the registered owner of a motor
19 vehicle in accordance with G.S. 20-81.12. The plate shall bear the
20 National Audubon Society, Inc., logo and a representation of a bird
21 native to North Carolina.

22 ...

23 (15a) First in Forestry. – Issuable to the registered owner of a motor vehicle.
24 The plate shall bear the words 'First in Forestry'. The Division may not
25 issue the plate authorized by this subdivision unless it receives at least
26 300 applications for the plate.

27 ...

1 (27a) Military Veteran. – Issuable to an individual who served honorably in
2 the armed services of the United States. The plate shall bear the words
3 "U.S. Military Veteran" and the name and insignia of the branch of
4 service in which the individual served. The Division may not issue the
5 plate authorized by this subdivision unless it receives at least 300
6 applications for the plate.

7 (27b) Military Wartime Veteran. – Issuable to either a member or veteran of
8 the armed services of the United States who served during a period of
9 war. If the person is a veteran of the armed services, then the veteran
10 must be separated from the armed services under honorable conditions.
11 The plate shall bear a word or phrase identifying the period of war and
12 a replica of the campaign badge or medal awarded for that war. The
13 Division may not issue a plate authorized by this subdivision unless it
14 receives at least 300 applications for that plate. A "period of war" is
15 any of the following:

16 a. World War I, meaning the period beginning April 16, 1917, and
17 ending November 11, 1918.

18 b. World War II, meaning the period beginning December 7,
19 1941, and ending December 31, 1946.

20 c. The Korean Conflict, meaning the period beginning June 27,
21 1950, and ending January 31, 1955.

22 d. The Vietnam Era, meaning the period beginning August 5,
23 1964, and ending May 7, 1975.

24 e. Desert Storm, meaning the period beginning August 2, 1990,
25 and ending April 11, 1991.

26 f. Any other campaign, expedition, or engagement for which the
27 United States Department of Defense authorizes a campaign
28 badge or medal.

29 ...

30 (40a) Special Forces Association. – Issuable to the registered owner of a
31 motor vehicle in accordance with G.S. 20-81.12. The plate shall bear a
32 representation of the Special Forces Association shoulder patch with
33 tabs and shall bear the words 'Special Forces Association.'

34 ...

35 (46a) U.S. Navy Specialty. – Issuable to a veteran of the United States Navy
36 Submariner Service. The plate shall bear the phrase "Silent Service
37 Veteran" and shall bear a representation of the Submarine Service
38 Qualification pin. The Division may not issue the plate authorized by
39 this subdivision unless it receives at least 300 applications for the
40 plate.

41 ...

42 (48b) The V Foundation for Cancer Research. – Issuable to the registered
43 owner of a motor vehicle in accordance with G.S. 20-81.12. The plate

1 shall bear a phrase and insignia representing The V Foundation for
 2 Cancer Research."

3 **SECTION 1.(b)** G.S. 20-79.4(b) reads as rewritten:

4 "(b) Types. – The Division shall issue the following types of special registration
 5 plates:

6 ...

7 (16a) Harley Owners' Group. – Issuable to the registered owner of a motor
 8 vehicle in accordance with G.S. 20-81.12. The plate shall be designed
 9 in consultation with and approved by the Harley-Davidson Motor
 10 Company, Inc., and shall bear the words and trademark of the 'Harley
 11 Owners' Group'. The Division shall not develop this plate unless the
 12 Harley-Davidson Motor Company, Inc., licenses, without charge, the
 13 State to use the words and trademark of the Harley Owners' Group on
 14 the plate.

15 ...

16 (36b) Rocky Mountain Elk Foundation. – Issuable to the registered owner of
 17 a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear
 18 the phrase 'Rocky Mountain Elk' and a replica of the 'Walking Bull'
 19 logo of the Rocky Mountain Elk Foundation, Inc. The Division shall
 20 not develop this plate unless the Rocky Mountain Elk Foundation, Inc.
 21 licenses, without charge, the State to use the 'Walking Bull' logo on the
 22 plate."

23 **SECTION 2.** G.S. 20-79.4(11a), as enacted by S.L. 2001-40, and G.S.
 24 20-79.4(b)(50) are repealed.

25 **SECTION 3.(a)** G.S. 20-79.7(a) reads as rewritten:

26 "(a) Fees. – Upon request, the Division shall provide and issue free of charge one
 27 registration plate to a recipient of the Congressional Medal of Honor, a 100% disabled
 28 veteran, and an ex-prisoner of war. All other special registration plates, including
 29 additional Congressional Medal of Honor, 100% Disabled Veteran, and Ex-Prisoner of
 30 War plates, are subject to the regular motor vehicle registration fee in G.S. 20-87 or
 31 G.S. 20-88 plus an additional fee in the following amount:

<u>Special Plate</u>	<u>Additional Fee Amount</u>
34 Historical Attraction	\$30.00
35 State Attraction	\$30.00
36 Collegiate Insignia	\$25.00
37 Goodness Grows	\$25.00
38 Kids First	\$25.00
39 Olympic Games	\$25.00
40 Special Olympics	\$25.00
41 University Health Systems of Eastern Carolina	\$25.00
42 Animal Lovers	\$20.00
43 <u>Audubon North Carolina</u>	<u>\$20.00</u>

1	Ducks Unlimited	\$20.00
2	<u>First in Forestry</u>	<u>\$20.00</u>
3	Litter Prevention	\$20.00
4	March of Dimes	\$20.00
5	Omega Psi Phi Fraternity	\$20.00
6	Scenic Rivers	\$20.00
7	School Technology	\$20.00
8	Soil and Water Conservation	\$20.00
9	<u>Special Forces Association</u>	<u>\$20.00</u>
10	Support Public Schools	\$20.00
11	<u>The V Foundation for Cancer Research Division</u>	<u>\$25.00</u>
12	Wildlife Resources	\$20.00
13	Personalized	\$20.00
14	Active Member of the National Guard	None
15	100% Disabled Veteran	None
16	Ex-Prisoner of War	None
17	Legion of Valor	None
18	Purple Heart Recipient	None
19	Silver Star Recipient	None
20	All Other Special Plates	\$10.00."

21 **SECTION 3.(b)** G.S. 20-79.7(a) reads as rewritten:

22 "(a) Fees. – Upon request, the Division shall provide and issue free of charge one
 23 registration plate to a recipient of the Congressional Medal of Honor, a 100% disabled
 24 veteran, and an ex-prisoner of war. All other special registration plates, including
 25 additional Congressional Medal of Honor, 100% Disabled Veteran, and Ex-Prisoner of
 26 War plates, are subject to the regular motor vehicle registration fee in G.S. 20-87 or
 27 G.S. 20-88 plus an additional fee in the following amount:

28	<u>Special Plate</u>	<u>Additional Fee Amount</u>
29		
30	Historical Attraction	\$30.00
31	State Attraction	\$30.00
32	Collegiate Insignia	\$25.00
33	Goodness Grows	\$25.00
34	Kids First	\$25.00
35	Olympic Games	\$25.00
36	Special Olympics	\$25.00
37	University Health Systems of Eastern Carolina	\$25.00
38	Animal Lovers	\$20.00
39	Ducks Unlimited	\$20.00
40	<u>Harley Owners' Group</u>	<u>\$20.00</u>
41	Litter Prevention	\$20.00
42	March of Dimes	\$20.00
43	Omega Psi Phi Fraternity	\$20.00

1	<u>Rocky Mountain Elk Foundation</u>	\$25.00
2	Scenic Rivers	\$20.00
3	School Technology	\$20.00
4	Soil and Water Conservation	\$20.00
5	Support Public Schools	\$20.00
6	Wildlife Resources	\$20.00
7	Personalized	\$20.00
8	Active Member of the National Guard	None
9	100% Disabled Veteran	None
10	Ex-Prisoner of War	None
11	Legion of Valor	None
12	Purple Heart Recipient	None
13	Silver Star Recipient	None
14	All Other Special Plates	\$10.00."

15 **SECTION 4.(a)** G.S. 20-79.7(b), as amended by Senate Bill 165, enacted by
 16 the 2001 General Assembly and ratified on September 6, 2001, reads as rewritten:

17 "(b) Distribution of Fees. – The Special Registration Plate Account and the
 18 Collegiate and Cultural Attraction Plate Account are established within the Highway
 19 Fund. The Division must credit the additional fee imposed for the special registration
 20 plates listed in subsection (a) among the Special Registration Plate Account (SRPA), the
 21 Collegiate and Cultural Attraction Plate Account (CCAPA), and the Natural Heritage
 22 Trust Fund (NHTF), which is established under G.S. 113-77.7, as follows:

23	<u>Special Plate</u>	<u>SRPA</u>	<u>CCAPA</u>	<u>NHTF</u>
24				
25	Animal Lovers	\$10	\$10	0
26	<u>Audubon North Carolina</u>	\$10	\$10	0
27	Ducks Unlimited	\$10	\$10	0
28	<u>First in Forestry</u>	\$10	0	\$10
29	Goodness Grows	\$10	\$15	0
30	Historical Attraction	\$10	\$20	0
31	In-State Collegiate Insignia	\$10	\$15	0
32	Kids First	\$10	\$15	0
33	Litter Prevention	\$10	\$10	0
34	March of Dimes	\$10	\$10	0
35	Olympic Games	\$10	\$15	0
36	Omega Psi Phi Fraternity	\$10	\$10	0
37	Out-of-state Collegiate Insignia	\$10	0	\$15
38	Personalized	\$10	0	\$10
39	Scenic Rivers	\$10	\$10	0
40	School Technology	\$10	\$10	0
41	Soil and Water Conservation	\$10	\$10	0
42	<u>Special Forces Association</u>	\$10	\$10	0
43	Special Olympics	\$10	\$10	0

1	State Attraction	\$10	\$20	0
2	Support Public Schools	\$10	\$10	0
3	<u>The V Foundation for Cancer Research</u>	<u>\$10</u>	<u>\$15</u>	<u>0</u>
4	University Health Systems of			
5	Eastern Carolina	\$10	\$15	0
6	Wildlife Resources	\$10	\$10	0
7	All other Special Plates	\$10	0	0."

8 **SECTION 4.(b)** G.S. 20-79.7(b), as amended by Senate Bill 165, enacted by
9 the 2001 General Assembly and ratified on September 6, 2001, reads as rewritten:

10 "(b) Distribution of Fees. – The Special Registration Plate Account and the
11 Collegiate and Cultural Attraction Plate Account are established within the Highway
12 Fund. The Division must credit the additional fee imposed for the special registration
13 plates listed in subsection (a) among the Special Registration Plate Account (SRPA), the
14 Collegiate and Cultural Attraction Plate Account (CCAPA), and the Natural Heritage
15 Trust Fund (NHTF), which is established under G.S. 113-77.7, as follows:

16	<u>Special Plate</u>	<u>SRPA</u>	<u>CCAPA</u>	<u>NHTF</u>
17				
18	Animal Lovers	\$10	\$10	0
19	Ducks Unlimited	\$10	\$10	0
20	Goodness Grows	\$10	\$10	0
21	<u>Harley Owners' Group</u>	<u>\$10</u>	<u>\$10</u>	<u>0</u>
22	Historical Attraction	\$10	\$20	0
23	In-State Collegiate Insignia	\$10	\$15	0
24	Kids First	\$10	\$15	0
25	Litter Prevention	\$10	\$10	0
26	March of Dimes	\$10	\$10	0
27	Olympic Games	\$10	\$15	0
28	Omega Psi Phi Fraternity	\$10	\$10	0
29	Out-of-state Collegiate Insignia	\$10	0	\$15
30	Personalized	\$10	0	\$10
31	<u>Rocky Mountain Elk Foundation</u>	<u>\$10</u>	<u>\$15</u>	<u>0</u>
32	Scenic Rivers	\$10	\$10	0
33	School Technology	\$10	\$10	0
34	Soil and Water Conservation	\$10	\$10	0
35	Special Olympics	\$10	\$10	0
36	State Attraction	\$10	\$20	0
37	Support Public Schools	\$10	\$10	0
38	University Health Systems of			
39	Eastern Carolina	\$10	\$15	0
40	Wildlife Resources	\$10	\$10	0
41	All other Special Plates	\$10	0	0."

42 **SECTION 5.** G.S. 20-81.12(b2)is amended by adding a new subdivision to
43 read:

1 "(b2) State Attraction Plates. – The Division must receive 300 or more applications
2 for a State attraction plate before the plate may be developed. The Division must
3 transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account
4 derived from the sale of State attraction plates to the organizations named below in
5 proportion to the number of State attraction plates sold representing that organization:

6 (1) Blue Ridge Parkway Foundation. – The revenue derived from the
7 special plate shall be transferred quarterly to the Blue Ridge Parkway
8 Foundation for use in the promotion and preservation of the Blue
9 Ridge Parkway as a scenic attraction in North Carolina.

10 ~~(1)~~(2) Friends of the Great Smoky Mountains National Park. – The revenue
11 derived from the special plate shall be transferred quarterly to the
12 Friends of the Great Smoky Mountains National Park, Inc., to be used
13 for educational materials, preservation programs, capital
14 improvements for the portion of the Great Smoky Mountains National
15 Park that is located in North Carolina, and operating expenses of the
16 Great Smoky Mountains National Park.

17 ~~(1a)~~(3) The North Carolina Arboretum. – The revenue derived from the
18 special plate shall be transferred quarterly to The North Carolina
19 Arboretum Society and used to help the Society obtain grants for the
20 North Carolina Arboretum and for capital improvements to the North
21 Carolina Arboretum.

22 ~~(1b)~~(4) The North Carolina Maritime Museum. – The revenue derived from
23 the special plate shall be transferred quarterly to Friends of the
24 Museum, North Carolina Maritime Museum, Inc., to be used for
25 educational programs and conservation programs and for operating
26 expenses of the North Carolina Maritime Museum.

27 ~~(2)~~(5) The North Carolina Zoological Society. – The revenue derived from
28 the special plate shall be transferred quarterly to The North Carolina
29 Zoological Society, Incorporated, to be used for educational programs
30 and conservation programs at the North Carolina Zoo at Asheboro and
31 for operating expenses of the North Carolina Zoo at Asheboro."

32 **SECTION 6.(a)** G.S. 20-81.12 is amended by adding the following new
33 subsections to read:

34 "(b17) Audubon North Carolina Plates. – The Division must receive 300 or more
35 applications for an Audubon North Carolina plate before the plate may be developed.
36 The Division must transfer quarterly the money in the Collegiate and Cultural Attraction
37 Plate Account derived from the sale of Audubon North Carolina plates to the National
38 Audubon Society, Inc., a nonprofit corporation, for the account of the NC State Office
39 to be used for bird and other wildlife conservation and educational activities in the State
40 of North Carolina.

41 (b18) Special Forces Association. – The Division must receive 300 or more
42 applications for a Special Forces Association plate before the plate may be developed.
43 The Division shall transfer quarterly the money in the Collegiate and Cultural Attraction

1 Plate Account derived from the sale of Special Forces Association plates to the
2 Airborne & Special Operations Museum in Fayetteville, North Carolina.

3 (b19) The V Foundation for Cancer Research. – The Division must receive 300 or
4 more applications for a V Foundation plate before the plate may be developed. The
5 Division shall transfer quarterly the money in the Collegiate and Cultural Attraction
6 Plate Account derived from the sale of V Foundation plates to The V Foundation for
7 Cancer Research to fund cancer research grants."

8 **SECTION 6.(b)** G.S. 20-81.12 is amended by adding the following new
9 subsections to read:

10 "(b20) Harley Owners' Group. – The Division must receive 300 or more applications
11 for a Harley Owners' Group plate before the plate may be developed. The Division shall
12 transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account
13 derived from the sale of Harley Owners' Group plates to the State Board of Community
14 Colleges to support the motorcycle safety instruction program established pursuant to
15 G.S. 115D-72.

16 (b21) Rocky Mountain Elk Foundation. – The Division must receive 300 or more
17 applications for a Rocky Mountain Elk Foundation plate before the plate may be
18 developed. The Division must transfer quarterly the money in the Collegiate and
19 Cultural Attraction Account derived from the sale of Rocky Mountain Elk Foundation
20 plates to Rocky Mountain Elk Foundation, Inc."

21 **SECTION 7.** Chapter 20 of the General Statutes is amended by adding a
22 new section to read:

23 **"§ 20-183A. Duties of law-enforcement officers when citing or arresting a person**
24 **claiming diplomatic immunity.**

25 (a) Applicability. – This section sets forth a reporting procedure that applies only
26 to an individual who has a drivers license issued by the United States Department of
27 State or who otherwise claims immunities and privileges under Title 22 of the United
28 States Code with respect to motor vehicle violations. It does not prohibit or limit the
29 application of any law to a criminal or motor vehicle violation by an individual who has
30 or claims immunities or privileges under Title 22 of the United States Code.

31 (b) Procedure. – A law enforcement officer must complete the tasks listed in this
32 subsection when the officer stops an individual whom the officer has probable cause to
33 believe has committed a violation of this Chapter, a violation under the laws of this
34 State, or a violation of a city or county ordinance involving the operation of a motor
35 vehicle:

36 (1) Verify the driver's status and immunity with the United States
37 Department of State.

38 (2) Record all relevant information from the individual's drivers license or
39 identification card, including those issued by the United states
40 Department of State.

41 (3) Forward the following information to the Bureau of Diplomatic
42 Security Office of Foreign Missions, United States Department of
43 State within 15 working days after the date of the stop:

- 1 a. If the driver was involved in a vehicle accident, a vehicle
2 accident report.
3 b. If a citation was issued to the driver, a copy of the citation.
4 c. If a citation was not issued to the driver, a written report of the
5 incident."

6 **SECTION 8.** Section 7 of this act becomes effective January 1, 2002. The
7 remainder of this act is effective when it becomes law. Sections 1(b), 3(b), 4(b), and
8 6(b) expire on June 30, 2006.