

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 1729*

Short Title: Motor Vehicles Law Changes. (Public)

Sponsors: Representatives Cole; and Hughes.

Referred to: Transportation, if favorable, Finance.

May 17, 2010

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE COMMISSIONER OF MOTOR VEHICLES TO TRANSFER EMPLOYEES IN CERTAIN CIRCUMSTANCES; SPECIFY THE DATE OF EXPIRATION OF A COMMERCIAL DRIVERS LICENSE; PROHIBIT SPECIFIED LICENSE PLATE COVERS; REPEAL AUTHORIZATION FOR EMERGENCY ISSUANCE OF REGISTRATION PLATES; MAKE CHANGES TO THE LAW GOVERNING DEALER PLATES AND TRANSPORTER PLATES; CLARIFY ELIGIBILITY FOR CERTAIN FREE LICENSE PLATES; ELIMINATE THE FEE FOR REGISTRATION RENEWAL BY MAIL; REPEAL A REQUIREMENT FOR SEPARATE REGISTRATION OF LOGGING TRUCKS; AUTHORIZE INCIDENT MANAGEMENT ASSISTANCE PATROL VEHICLES TO USE RED LIGHTS; AND PROVIDE THAT FAILURE TO COMPLY WITH THE LAWS GOVERNING TRANSPORTER PLATES IS GROUNDS FOR DENYING, SUSPENDING, OR REVOKING A DEALER LICENSE, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-3 reads as rewritten:

"§ 20-3. Organization of Division.

The Commissioner, subject to the approval of the Secretary of the Department of Transportation, shall organize and administer the Division in such manner as ~~he~~the Commissioner may deem necessary to conduct the work of the Division. The Commissioner shall have authority to transfer employees of the Division, upon request of the employee, from one locality in the State to another as the Commissioner may deem necessary. Any transfers under this section shall be to a position in the same salary grade as the position the employee is leaving."

SECTION 2. G.S. 20-7(f) reads as rewritten:

"(f) Duration and Renewal of Licenses. – Drivers licenses shall be issued and renewed pursuant to the provisions of this subsection:

- (1) Duration of license for persons under age 18. – A full provisional license issued to a person under the age of 18 expires on the person's twenty-first birthday.
- (2) Duration of original license for persons at least 18 years of age or older. – A drivers license issued to a person at least 18 years old but less than 54 years old expires on the birthday of the licensee in the eighth year after issuance. A drivers license issued to a person at least 54 years old expires on the birthday of the licensee in the fifth year after issuance. A commercial drivers license shall expire on the birth date of the licensee in the fifth year after



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1 issuance. A commercial drivers license that has a vehicles carrying
2 passengers (P) and school bus (S) endorsement issued pursuant to
3 G.S. 20-37.16 shall expire on the birth date of the licensee three years after
4 the date of issuance, if the licensee is certified to drive a school bus in North
5 Carolina.

6 (2a) Duration of renewed licenses. – A renewed drivers license that was issued
7 by the Division to a person at least 18 years old but less than 54 years old
8 expires eight years after the expiration date of the license that is renewed. A
9 renewed drivers license that was issued by the Division to a person at least
10 54 years old expires five years after the expiration date of the license that is
11 renewed. A commercial driver license shall expire on the birth date of the
12 licensee in the fifth year after issuance.

13 (3) Duration of license for certain other drivers. – The durations listed in
14 subdivisions (1), (2) and (2a) of this subsection are valid unless the Division
15 determines that a license of shorter duration should be issued when the
16 applicant holds valid documentation issued by, or under the authority of, the
17 United States government that demonstrates the applicant's legal presence of
18 limited duration in the United States. In no event shall a license of limited
19 duration expire later than the expiration of the authorization for the
20 applicant's legal presence in the United States.

21 (3a) When to renew. – A person may apply to the Division to renew a license
22 during the 180-day period before the license expires. The Division may not
23 accept an application for renewal made before the 180-day period begins.

24 (3b) Renewal for certain members of the Armed Forces and reserve components
25 of the Armed Forces.

26 a. The Division may renew a drivers license, without limitation on the
27 period of time before the license expires, if the person applying for
28 renewal is a member of the Armed Forces or of a reserve component
29 of the Armed Forces of the United States and provides orders that
30 place the member on active duty and duty station outside this State.

31 b. A person who is a member of a reserve component of the Armed
32 Forces of the United States whose license bears an expiration date
33 that occurred while the person was on active duty outside this State
34 shall be considered to have a valid license until 60 days after the date
35 of release from active duty upon showing proof of the release date,
36 unless the license was rescinded, revoked, or otherwise invalidated
37 under some other provision of law. Notwithstanding the provisions of
38 this sub-subdivision, no license shall be considered valid more than
39 18 months after the date of expiration.

40 (4) Renewal by mail. – The Division may renew by mail a drivers license issued
41 by the Division to a person who meets any of the following descriptions:

42 a. Is a member of the Armed Forces or a reserve component of the
43 Armed Forces of the United States serving on active duty and is
44 stationed outside this State.

45 b. Is a resident of this State and has been residing outside the State for
46 at least 30 continuous days.

47 When renewing a license by mail, the Division may waive the examination
48 that would otherwise be required for the renewal and may impose any
49 conditions it finds advisable. A license renewed by mail is a temporary
50 license that expires 60 days after the person to whom it is issued returns to
51 this State.

1 (5) License to be sent by mail. – The Division shall issue to the applicant a
2 temporary driving certificate valid for 20 days, unless the applicant is
3 applying for renewal by mail under subdivision (4) of this subsection. The
4 temporary driving certificate shall be valid for driving purposes only and
5 shall not be valid for identification purposes. The Division shall produce the
6 applicant's drivers license at a central location and send it to the applicant by
7 first-class mail at the residence address provided by the applicant, unless the
8 applicant is ineligible for mail delivery by the United States Postal Service at
9 the applicant's residence. If the United States Postal Service documents that
10 it does not deliver to the residential address provided by the applicant, and
11 the Division has verified the applicant's residential address by other means,
12 the Division may mail the drivers license to the post office box provided by
13 the applicant. Applicants whose only mailing address prior to July 1, 2008,
14 was a post office box in this State may continue to receive their license at
15 that post office box, provided the applicant's residential address has been
16 verified by the Division."

17 **SECTION 3.** G.S. 20-63(g) reads as rewritten:

18 "(g) Alteration, Disguise, or Concealment of Numbers. – Any operator of a motor
19 vehicle who shall willfully mutilate, bend, twist, cover or cause to be covered or partially
20 covered by any bumper, light, spare tire, tire rack, strap, or other device, or who shall paint,
21 enamel, emboss, stamp, print, perforate, or alter or add to or cut off any part or portion of a
22 registration plate or the figures or letters thereon, or who shall place or deposit or cause to be
23 placed or deposited any oil, grease, or other substance upon such registration plates for the
24 purpose of making dust adhere thereto, or who shall deface, disfigure, change, or attempt to
25 change any letter or figure thereon, or who shall display a number plate in other than a
26 horizontal upright position, shall be guilty of a Class 2 misdemeanor. Any operator of a motor
27 vehicle who shall willfully cover or cause to be covered any part or portion of a registration
28 plate or the figures or letters thereon by any device designed or intended to prevent or interfere
29 with the taking of a clear photograph of a registration plate by a traffic control or toll collection
30 system using cameras commits an infraction and shall be ~~fin~~penalized under G.S. 14-3.1.
31 Any operator of a motor vehicle who shall otherwise intentionally cover any number or
32 registration renewal sticker on a registration plate with any material that makes the number or
33 registration renewal sticker illegible commits an infraction and shall be ~~fin~~penalized under
34 G.S. 14-3.1. Any operator of a motor vehicle who covers any number or registration renewal
35 sticker on a registration plate with any transparent clear or color-tinted cover that makes the
36 numbers and letters or registration renewal sticker illegible commits an infraction and shall be
37 penalized under G.S. 14-3.1. Any operator of a motor vehicle who covers the State name, year
38 sticker, or month sticker on a registration plate with a license plate frame commits an infraction
39 and shall be ~~fin~~penalized under G.S. 14-3.1. ~~Nothing in this subsection shall prohibit the use~~
40 ~~of transparent covers that do not prevent or interfere with the taking of a clear photograph of a~~
41 ~~registration plate by a traffic control or toll collection system using cameras."~~

42 **SECTION 4.** G.S. 20-64.2 is repealed.

43 **SECTION 5.** G.S. 20-79 reads as rewritten:

44 **"§ 20-79. Dealer license plates.**

45 (a) How to Get a Dealer Plate. – The Division may issue a person licensed under
46 Article 12 of this Chapter the appropriate classification of dealer license plate. A person
47 eligible for a dealer license plate may obtain one by filing an application with the Division and
48 paying the required fee. An application must be filed on a form provided by the Division. The
49 required fee is the amount set by G.S. 20-87(7).

50 (b) Number of Plates. – A dealer who was licensed under Article 12 of this Chapter for
51 the previous 12-month period ending December 31 may obtain the number of dealer license

plates allowed by the following table; the number allowed is based on the number of motor vehicles the dealer sold during the relevant 12-month period and the average number of qualifying sales representatives the dealer employed during that same 12-month period:

<u>Vehicles Sold In Relevant 12-Month Period</u>	<u>Maximum Number of Plates</u>
Fewer than 12	<u>1</u> <u>3</u>
At least 12 but less than 25	<u>4</u> <u>6</u>
At least 25 but less than 37	<u>5</u> <u>7</u>
At least 37 but less than 49	<u>6</u> <u>8</u>
49 or more	At least <u>6</u> <u>8</u> , but no more than <u>4</u> <u>5</u> times the average number of qualifying sales representatives employed by the dealer during the relevant 12-month period.

A dealer who was not licensed under Article 12 of this Chapter for part or all of the previous 12-month period ending December 31 may obtain the number of dealer license plates that equals four times the number of qualifying sales representatives employed by the dealer on the date the dealer files the application. A "qualifying sales representative" is a sales representative who works for the dealer at least 25 hours a week on a regular basis and is compensated by the dealer for this work.

A dealer who sold fewer than 49 motor vehicles the previous 12-month period ending December 31 but has sold at least that number since January 1 may apply for additional dealer license plates at any time. The maximum number of dealer license plates the dealer may obtain is the number the dealer could have obtained if the dealer had sold at least 49 motor vehicles in the previous 12-month period ending December 31.

A dealer who applies for a dealer license plate must certify to the Division the number of motor vehicles the dealer sold in the relevant period. Making a material misstatement in an application for a dealer license plate is grounds for the denial, suspension, or revocation of a dealer's license under G.S. 20-294.

A dealer engaged in the alteration and sale of specialty vehicles may apply for up to two dealer plates in addition to the number of dealer plates that the dealer would otherwise be entitled to under this section.

This subsection does not apply to manufacturers licensed under Article 12 of this Chapter.

(c) Form and Duration. – A dealer license plate is subject to G.S. 20-63, except for the requirement that the plate display the registration number of a motor vehicle and the requirement that the plate be a "First in Flight" plate. A dealer license plate must have a distinguishing symbol identifying the plate as a dealer license plate. The symbol may vary depending upon the classification of dealer license plate issued. The Division must provide suitably reduced sized license plates for motorcycle dealers and manufacturers.

A dealer license plate is issued for a period of one year. The Division shall vary the expiration dates of dealer registration renewals so that an approximately equal number expires at the end of each month, quarter, or other period consisting of one or more months. A dealer license plate may be transferred from one vehicle to another. When the Division issues a dealer plate, it may issue a registration that expires at the end of any monthly interval. When one of the following occurs, a dealer must surrender to the Division all dealer license plates issued to the dealer:

- (1) The dealer surrenders the license issued to the dealer under Article 12 of this Chapter.
- (2) The Division suspends or revokes the license issued to the dealer under Article 12 of this Chapter.

- 1 (3) The Division rescinds the dealer license plates because of a violation of the
2 restrictions on the use of a dealer license plate.

3 To obtain a dealer license plate after it has been surrendered, the dealer must file a new
4 application for a dealer license plate and pay the required fee for the plate.

5 (d) Restrictions on Use. – A dealer license plate or dealer transporter plate may be
6 displayed only on a motor vehicle that meets all of the following requirements:

- 7 (1) Is part of the inventory of the dealer.
8 (2) Is not consigned to the dealer.
9 (3) Is covered by liability insurance that meets the requirements of Article 9A of
10 this Chapter.
11 (4) Is not used by the dealer in another business in which the dealer is engaged.
12 (5) Is driven on a highway by a person who meets one of the following
13 descriptions:
14 a. Has a demonstration permit to test-drive the motor vehicle and
15 carries the demonstration permit while driving the motor vehicle.
16 b. Is an officer or sales representative of the dealer and is driving the
17 vehicle for a business purpose of the dealer.
18 c. Is an employee of the dealer and is driving the vehicle in the course
19 of employment.
20 d. Is an employee of the dealer, or an employee of a business contracted
21 by the dealer to pick up and repair or otherwise prepare for sale, a
22 vehicle that is part of the inventory of the dealer. Where the vehicle
23 is being repaired or prepared for sale, the vehicle may only be
24 operated within a 10-mile radius of the place where it is being
25 repaired or prepared for sale.
26 e. Is an employee or contractor of the dealer when transporting a
27 vehicle that is part of the inventory of the dealer when the vehicle is
28 being transported to or from a vehicle auction, or transporting a
29 vehicle that is part of the inventory of the dealer to the dealer's
30 established salesroom.
31 f. A dealer transporter plate shall not be used for purposes of
32 subsections (a), (b), and (c) of this section.

- 33 (6) A copy of the registration card for the dealer plate or dealer transporter plate
34 issued to the dealer is carried by the person operating the motor vehicle or, if
35 the person is operating the motor vehicle in this State, the registration card is
36 maintained on file at the dealer's address listed on the registration card, and
37 the registration card must be able to be produced within 24 hours upon
38 request of any law enforcement officer.

39 A dealer may issue a demonstration permit for a motor vehicle to a person licensed to drive
40 that type of motor vehicle. A demonstration permit authorizes each person named in the permit
41 to drive the motor vehicle described in the permit for up to 96 hours after the time the permit is
42 issued. A dealer may, for good cause, renew a demonstration permit for one additional 96-hour
43 period.

44 A dealer may not lend, rent, lease, or otherwise place a dealer license plate at the disposal
45 of a person except as authorized by this subsection.

46 (e) Sanctions. – The following sanctions apply when a motor vehicle displaying a
47 dealer license plate or a dealer transporter plate is driven in violation of the restrictions on the
48 use of the plate:

- 49 (1) The individual driving the motor vehicle is responsible for an infraction and
50 is subject to a penalty of fifty dollars (\$50.00).

- 1 (2) The dealer to whom the plate is issued is subject to a civil penalty imposed
2 by the Division of two hundred dollars (\$200.00).
- 3 (3) The Division may rescind all dealer license plates and dealer transporter
4 plates issued to the dealer whose plate was displayed on the motor vehicle.

5 A penalty imposed under subdivision (1) of this subsection is payable to the county where
6 the infraction occurred, as required by G.S. 14-3.1. A civil penalty imposed under subdivision
7 (2) of this subsection shall be credited to the Highway Fund as nontax revenue.

8 (f) Transfer of Dealer Registration. – No change in the name of a firm, partnership or
9 corporation, nor the taking in of a new partner, nor the withdrawal of one or more of the firm,
10 shall be considered a new business; but if any one or more of the partners remain in the firm, or
11 if there is change in ownership of less than a majority of the stock, if a corporation, the business
12 shall be regarded as continuing and the dealers' plates originally issued may continue to be
13 used.

14 (g) Penalties. – The clear proceeds of all civil penalties, civil forfeitures, and civil fines
15 that are collected by the Department of Transportation pursuant to this section shall be remitted
16 to the Civil Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2.

17 (h) Definition. – For purposes of this section, the term "dealer" means a person who is
18 licensed under Article 12 of this Chapter."

19 **SECTION 6.** G.S. 20-79.2 reads as rewritten:

20 **"§ 20-79.2. Transporter plates.**

21 (a) Who Can Get a Plate. – ~~A person engaged in a business or a dealer licensed~~
22 pursuant to Article 12 of this Chapter requiring the limited operation of a motor vehicle for any
23 of the following purposes may obtain a transporter plate authorizing the movement of the
24 vehicle for the specific purpose:

- 25 (1) To facilitate the manufacture, construction, rebuilding, or delivery of new or
26 used truck cabs or bodies between manufacturer, dealer, seller, or purchaser.
- 27 (2) To repossess a motor vehicle. Any applicant for a transporter tag pursuant to
28 this subsection shall show proof of garage liability insurance coverage as
29 required by Article 9A of this Chapter. Issuance of a transporter plate for this
30 purpose shall be limited to a financial institution to repossess a motor vehicle
31 of which they are the recorded lienholder.
- 32 (3) To pick up a motor vehicle that is to be repaired or otherwise prepared for
33 sale by a dealer, to road-test the vehicle, if it is repaired, within a 10-mile
34 radius of the place where it is repaired, and to deliver the vehicle to the
35 dealer. Issuance of a transporter plate for this purpose shall be limited to
36 licensed dealers.
- 37 (4) To move a motor vehicle that is owned by the business and is a replaced
38 vehicle offered for sale. Issuance of a transporter plate for this purpose shall
39 be limited to licensed dealers.
- 40 (5) To take a motor vehicle either to or from a motor vehicle auction where the
41 vehicle will be or was offered for sale. Issuance of a transporter plate for this
42 purpose shall be limited to licensed dealers.
- 43 (6) To road-test a repaired truck whose GVWR is at least 15,000 pounds when
44 the test is performed within a 10-mile radius of the place where the truck
45 was repaired and the truck is owned by a person who has a fleet of at least
46 five trucks whose GVWRs are at least 15,000 pounds and who maintains the
47 place where the truck was repaired. Any applicant for a transporter plate
48 pursuant to this subsection shall show proof of garage liability insurance
49 coverage as required by Article 9A of this Chapter.
- 50 (7) To move a mobile office, a mobile classroom, or a mobile or manufactured
51 ~~home.~~ home, or to transport a newly manufactured travel trailer, fifth-wheel

1 trailer, or camping trailer between a manufacturer and a dealer. Any
2 transporter plate used for this purpose shall not be used on the power unit.

3 (8) To drive a motor vehicle that is at least ~~25~~35 years old to and from a parade
4 or another public event and to drive the motor vehicle in that event. A person
5 who owns a motor vehicle that is at least ~~25~~35 years old is considered to be
6 in the business of collecting those vehicles. These vehicle shall be titled in
7 this State, and have proof of insurance as required under Article 9A of this
8 Chapter.

9 (9) To drive a motor vehicle that is part of the inventory of a dealer to and from
10 a motor vehicle trade show or exhibition or to, during, and from a parade in
11 which the motor vehicle is used. Issuance of a transporter plate for this
12 purpose shall be limited to licensed dealers.

13 (10) To drive special mobile equipment in any of the following circumstances:

14 a. From the manufacturer of the equipment to a facility of a dealer.

15 b. From one facility of a dealer to another facility of a dealer.

16 c. From a dealer to the person who buys the equipment from the dealer.

17 (b) How to Get a Plate. – A ~~person-business~~ may obtain a transporter plate by filing an
18 application with the Division and paying the required fee. An application must be on a form
19 provided by the Division and contain the information required by the Division. The fee for a
20 transporter plate is one-half the fee set in G.S. 20-87(5) for a passenger motor vehicle of not
21 more than 15 passengers.

22 (b1) Number of Plates. – The total number of dealer transporter and or dealer plates
23 issued to a dealer may not exceed the total number of ~~dealer~~ plates that can be issued to the
24 dealer under G.S. 20-79(b). ~~This restriction does not apply to a person who is not a dealer.~~
25 Transporter plates issued to a dealer shall bear the words "Dealer-Transporter." This subsection
26 shall not apply to a person who is not a dealer.

27 (b2) Sanctions. – The following sanctions apply when a motor vehicle displaying a
28 "Dealer-Transporter" or "Transporter" license plate is driven in violation of the restrictions on
29 the use of the plate or in violation of the requirements for financial responsibility in subsection
30 (d) or (e) of this section:

31 (1) The individual driving the motor vehicle is responsible for an infraction and
32 is subject to a penalty of ~~fifty dollars (\$50.00).~~ one hundred dollars
33 (\$100.00).

34 (2) ~~The dealer~~ person, dealer, or business to whom the plate is issued is subject
35 to a civil penalty imposed by the Division of ~~two hundred dollars (\$200.00).~~
36 two hundred fifty dollars (\$250.00) per occurrence.

37 (3) The Division ~~may~~ shall rescind all dealer license plates or transporter plates
38 issued to the ~~dealer~~ dealer or business whose plate was displayed on the
39 motor vehicle.

40 (4) Any person or business who sells, rents, leases, or otherwise provides a
41 transporter plate to another person or business in exchange for money or any
42 other thing of value shall be guilty of a Class I felony. Any conviction for
43 violation of this subsection shall be considered a felony involving moral
44 turpitude for purposes of G.S. 20-294.

45 A penalty imposed under subdivision (1) of this subsection is payable to the county where
46 the infraction occurred, as required by G.S. 14-3.1. A civil penalty imposed under subdivision
47 (2) of this subsection shall be credited to the Highway Fund as nontax revenue. A law
48 enforcement officer having probable cause to believe that a transporter plate is being used in
49 violation of this section may seize the plate.

50 (c) Form, Duration, and Transfer. – ~~A transporter plate is a type of commercial license~~
51 ~~plate. A transporter plate issued to a dealer is issued on a fiscal year basis. A transporter plate~~

1 ~~issued to a person who is not a dealer is issued on a calendar year basis. A transporter license~~
2 ~~plate is subject to G.S. 20-63, except for the requirement that the plate display the registration~~
3 ~~number of a motor vehicle and the requirement that the plate be a "First in Flight" plate. A~~
4 ~~transporter license plate shall have a distinguishing symbol identifying the plate as a transporter~~
5 ~~license plate. The symbol may vary depending upon the classification of transporter license~~
6 ~~plate issued. A transporter license plate is issued for a period of one year. The Division shall~~
7 ~~vary the expiration dates of transporter registration renewals so that an approximately equal~~
8 ~~number expires at the end of each month, quarter, or other period consisting of one or more~~
9 ~~months. When the Division issues a transporter plate, it may issue a registration that expires at~~
10 ~~the end of any monthly interval. During the year for which it is issued, a person—business or~~
11 ~~dealer may transfer a transporter plate from one vehicle to another as long as the vehicle is~~
12 ~~driven only for a purpose authorized by subsection (a) of this section. The Division may—shall~~
13 ~~rescind a transporter plate that is displayed on a motor vehicle driven for a purpose that is not~~
14 ~~authorized by subsection (a) of this section.~~

15 (d) A county may obtain one transporter plate, without paying a fee, by filing an
16 application with the Division on a form to be provided by the Division. A transporter plate
17 issued pursuant to this subsection may only be used to transport motor vehicles as part of a
18 program established by the county to receive donated motor vehicles and make them available
19 to low-income individuals.

20 If a motor vehicle is operated on the highways of this State using a transporter plate
21 authorized by this section, all of the following requirements shall be met:

- 22 (1) The driver of the vehicle shall have in his or her possession the certificate of
23 title for the motor vehicle, which has been properly reassigned by the
24 previous owner to the county or the affected donor program.
25 (2) The vehicle shall be covered by liability insurance that meets the
26 requirements of Article 9A of this Chapter.

27 The form and duration of the transporter plate shall be as provided in subsection (c) of this
28 section.

29 (e) Any vehicle being operated on the highways of this State using a transporter plate
30 shall be covered by liability insurance that meets the requirement of Article 9A of this
31 Chapter."

32 **SECTION 7.** G.S. 20-79.7(a) reads as rewritten:

33 "**§ 20-79.7. Fees for special registration plates and distribution of the fees.**

34 (a) Fees. – Upon request, the Division shall provide and issue free of charge ~~one~~
35 ~~registration plate—a single Legion of Valor, 100% Disabled Veteran, and Ex-Prisoner of War~~
36 ~~registration plate~~ to a recipient of a Legion of Valor award, a 100% disabled veteran, and an
37 ex-prisoner of war. All other special registration plates, ~~including additional Legion of Valor,~~
38 ~~100% Disabled Veteran, and Ex-Prisoner of War plates,~~ plates are subject to the regular motor
39 vehicle registration fee in G.S. 20-87 or G.S. 20-88 plus an additional fee in the following
40 amount:

41"

42 **SECTION 8.** G.S. 20-85.1 reads as rewritten:

43 "**§ 20-85.1. Registration by mail; one-day title service; fees.**

44 (a) The owner of a vehicle registered in North Carolina may renew that vehicle
45 registration by mail. ~~A postage and handling fee of one dollar (\$1.00) per vehicle to be~~
46 ~~registered shall be charged for this service.~~

47 (b) The Commissioner and the employees of the Division designated by the
48 Commissioner may prepare and deliver upon request a certificate of title, charging a fee of
49 seventy-five dollars (\$75.00) for one-day title service, in lieu of the title fee required by
50 G.S. 20-85(a). The fee for one-day title service must be paid by cash or by certified check. This
51 fee shall be credited to the Highway Trust Fund.

1 (c) ~~The fee collected under subsection (a) shall be credited to the Highway Fund. The~~
2 ~~fee collected under subsection (b) shall be credited to the Highway Trust Fund."~~

3 **SECTION 9.** G.S. 20-88.02 is repealed.

4 **SECTION 10.** G.S. 20-130.1 reads as rewritten:

5 **"§ 20-130.1. Use of red or blue lights on vehicles prohibited; exceptions.**

6 (a) It is unlawful for any person to install or activate or operate a red light in or on any
7 vehicle in this State. As used in this subsection, unless the context requires otherwise, "red
8 light" means an operable red light not sealed in the manufacturer's original package which: (i)
9 is designed for use by an emergency vehicle or is similar in appearance to a red light designed
10 for use by an emergency vehicle; and (ii) can be operated by use of the vehicle's battery,
11 vehicle's electrical system, or a dry cell battery. As used in this subsection, the term "red light"
12 shall also mean any forward facing red light installed on a vehicle after initial manufacture of
13 the vehicle.

14 (b) The provisions of subsection (a) of this section do not apply to the following:

- 15 (1) A police car;
- 16 (2) A highway patrol car;
- 17 (3) A vehicle owned by the Wildlife Resources Commission and operated
18 exclusively for law-enforcement purposes;
- 19 (4) An ambulance;
- 20 (5) A vehicle used by an organ procurement organization or agency for the
21 recovery and transportation of blood, human tissues, or organs for
22 transplantation;
- 23 (6) A fire-fighting vehicle;
- 24 (7) A school bus;
- 25 (8) A vehicle operated by any member of a municipal or rural fire department in
26 the performance of his duties, regardless of whether members of that fire
27 department are paid or voluntary;
- 28 (9) A vehicle of a voluntary lifesaving organization (including the private
29 vehicles of the members of such an organization) that has been officially
30 approved by the local police authorities and which is manned or operated by
31 members of that organization while answering an official call;
- 32 (10) A vehicle operated by medical doctors or anesthetists in emergencies;
- 33 (11) A motor vehicle used in law enforcement by the sheriff, or any salaried rural
34 policeman in any county, regardless of whether or not the county owns the
35 vehicle;
- 36 (11a) A vehicle operated by the State Fire Marshal or his representatives in the
37 performance of their duties, whether or not the State owns the vehicle;
- 38 (12) A vehicle operated by any county fire marshal, assistant fire marshal, or
39 emergency management coordinator in the performance of his duties,
40 regardless of whether or not the county owns the vehicle;
- 41 (13) A light required by the Federal Highway Administration;
- 42 (14) A vehicle operated by a transplant coordinator who is an employee of an
43 organ procurement organization or agency when the transplant coordinator is
44 responding to a call to recover or transport human tissues or organs for
45 transplantation;
- 46 (15) A vehicle operated by an emergency medical service as an emergency
47 support vehicle; ~~and~~
- 48 (16) A State emergency management ~~vehicle-vehicle; and~~
- 49 (17) An Incident Management Assistance Patrol vehicle operated by the
50 Department of Transportation.

1 (c) It is unlawful for any person to possess a blue light or to install, activate, or operate
2 a blue light in or on any vehicle in this State, except for a publicly owned vehicle used for law
3 enforcement purposes or any other vehicle when used by law enforcement officers in the
4 performance of their official duties. As used in this subsection, unless the context requires
5 otherwise, "blue light" means any forward facing blue light installed on a vehicle after initial
6 manufacture of the vehicle; or an operable blue light which:

7 (1) Is not (i) being installed on, held in inventory for the purpose of being
8 installed on, or held in inventory for the purpose of sale for installation on a
9 vehicle on which it may be lawfully operated or (ii) installed on a vehicle
10 which is used solely for the purpose of demonstrating the blue light for sale
11 to law enforcement personnel;

12 (1a) Is designed for use by an emergency vehicle, or is similar in appearance to a
13 blue light designed for use by an emergency vehicle; and

14 (2) Can be operated by use of the vehicle's battery, the vehicle's electrical
15 system, or a dry cell battery.

16 (c1) The provisions of subsection (c) of this section do not apply to the possession and
17 installation of an inoperable blue light on a vehicle that is inspected by and registered with the
18 Department of Motor Vehicles as a specially constructed vehicle and that is used primarily for
19 participation in shows, exhibitions, parades, or holiday/weekend activities, and not for general
20 daily transportation. For purposes of this subsection, "inoperable blue light" means a
21 blue-colored lamp housing or cover that does not contain a lamp or other mechanism having
22 the ability to produce or emit illumination.

23 (d) Repealed by Session Laws 1999-249, s. 1.

24 (e) Violation of subsection (a) or (c) of this section is a Class 1 misdemeanor."

25 **SECTION 11.** G.S. 20-294 reads as rewritten:

26 "**§ 20-294. Grounds for denying, suspending or revoking licenses.**

27 The Division may deny, suspend, or revoke a license issued under this Article for any one
28 or more of the following grounds:

29 ...

30 (2) Willfully and intentionally failing to comply with this Article, Article 15 of
31 this Chapter, or G.S. 20-52.1, 20-75, 20-79.1, 20-79.2, 20-108, 20-109, or a
32 rule adopted by the Division under this Article.

33"

34 **SECTION 12.** This act becomes effective December 1, 2010, and applies to
35 offenses committed on or after that date.