

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2011

S

1

SENATE BILL 860

Short Title: Sales of Motor Vehicles/Units of Government. (Public)

Sponsors: Senators Vaughan; Allran, Atwater, Bingham, Jackson, Kinnaird, Mansfield, McKissick, Meredith, Purcell, Robinson, Rouzer, and Walters.

Referred to: Finance.

May 23, 2012

A BILL TO BE ENTITLED

AN ACT TO ELIMINATE THE ODOMETER MILEAGE REPORT REQUIREMENTS AND ESTABLISH A RETAIL PRICE PAID FOR EXCISE TAX PURPOSES FOR NEW VEHICLE SALES BY MANUFACTURERS DIRECTLY TO THE STATE, A UNIT OF LOCAL GOVERNMENT, VOLUNTEER FIRE DEPARTMENTS, OR RESCUE SQUADS IN CONFORMITY WITH FEDERAL GOVERNMENT CONTRACT SPECIFICATIONS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-347(d) is amended by adding a new subdivision to read:

"(6) A vehicle that is sold by a manufacturer directly to a State agency, a unit of local government, a volunteer fire department, or a volunteer rescue squad in conformity with federal government contract specifications."

SECTION 2. G.S. 105-187.3(b) reads as rewritten:

"(b) Retail Value. – The retail value of a motor vehicle for which a certificate of title is issued because of a sale of the motor vehicle by a retailer is the sales price of the motor vehicle, including all accessories attached to the vehicle when it is delivered to the purchaser, less the amount of any allowance given by the retailer for a motor vehicle taken in trade as a full or partial payment for the purchased motor vehicle.

The retail value of a motor vehicle for which a certificate of title is issued because of a sale of the motor vehicle by a seller who is not a retailer is the market value of the vehicle, less the amount of any allowance given by the seller for a motor vehicle taken in trade as a full or partial payment for the purchased motor vehicle. A transaction in which two parties exchange motor vehicles is considered a sale regardless of whether either party gives additional consideration as part of the transaction.

The retail value of a motor vehicle for which a certificate of title is issued because of a reason other than the sale of the motor vehicle is the market value of the vehicle. The market value of a vehicle is presumed to be the value of the vehicle set in a schedule of values adopted by the Commissioner.

The retail value of a vehicle for which a certificate of title is issued because of a transfer by a State agency that assists the United States Department of Defense with purchasing, transferring, or titling a vehicle to another State agency, a unit of local government, a volunteer fire department, or a volunteer rescue squad is the sales price paid by the State agency, unit of local government, volunteer fire department, or volunteer rescue squad.

The retail value of a vehicle for which a certificate of title is issued because of a transfer by manufacturer to a State agency, a unit of local government, a volunteer fire department, or a



1 volunteer rescue squad in conformity with federal government contract specifications is the
2 sales price paid by the State agency, unit of local government, volunteer fire department, or
3 volunteer rescue squad."

4 **SECTION 3.** This act is effective when it becomes law.