

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

H

2

HOUSE BILL 594
Senate Transportation Committee Substitute Adopted 6/24/16

Short Title: MV Dealer Doc. Retention/Inspection/Format.

(Public)

Sponsors:

Referred to:

April 9, 2015

A BILL TO BE ENTITLED

AN ACT TO MODIFY THE REQUIREMENTS FOR MOTOR VEHICLE DEALER RECORDS
RETENTION, AVAILABILITY FOR INSPECTION BY THE DIVISION OF MOTOR
VEHICLES, AND FORMAT.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-297 reads as rewritten:

"§ 20-297. Retention and inspection of certain records.

(a) Vehicles. – A dealer must keep a record of all vehicles received by the dealer and all vehicles sold by the dealer. The records must contain the information that the Division ~~requires.~~ requires and be made available for inspection by the Division within a reasonable period of time after being requested by the Division. A dealer may keep-satisfy the record-keeping requirements contained in this subsection either by (i) keeping and maintain-maintaining written or paper records at the dealership facility where the vehicles were sold or at another established-office located-site within this State provided that the location and the name of a designated contact agent are provided to the Division and the records can be made available for inspection by the Division within a reasonable period of time after being requested by the Division. Division or (ii) maintaining electronic copies of the records required by this subsection, provided that the Division shall have access to these electronic records from a location within this State. For purposes of this section, the location where dealership written or electronic records are kept and maintained may be owned and operated by a party other than the dealer.

(b) Inspection. – The Division may inspect the pertinent books, records, letters, and contracts of a licensee relating to any written complaint made to the Division against the licensee.

(c) Records Format. – Any record required to be kept and maintained under this section may be converted to electronic form and retained by a dealer in electronic form without retention of the original or any copies of the record in paper or other nonelectronic form."

SECTION 2. The Department of Transportation, Division of Motor Vehicles, shall adopt rules consistent with the provisions of this act. Rules adopted pursuant to this section shall not be subject to G.S. 150B-19.1(e), 150B-19.1(f), and 150B-21.4.

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

