

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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SENATE BILL 774
Transportation Committee Substitute Adopted 5/25/22
Finance Committee Substitute Adopted 5/31/22

Short Title: DOT Legislative Changes.-AB

(Public)

Sponsors:

Referred to:

May 25, 2022

1 A BILL TO BE ENTITLED
2 AN ACT TO MAKE CHANGES TO LAWS RELATED TO TRANSPORTATION, AS
3 RECOMMENDED BY THE DEPARTMENT OF TRANSPORTATION.

4 The General Assembly of North Carolina enacts:

5
6 **PENALIZE FAILURE TO INSPECT MOTOR VEHICLE BEFORE RETAIL SALE**

7 **SECTION 1.(a)** G.S. 20-183.8(a) reads as rewritten:

8 "(a) Infractions. – A person who does any of the following commits an infraction and, if
9 found responsible, is liable for a penalty of up to fifty dollars (\$50.00):

10 ...

11 (5) Fails to inspect a used motor vehicle before it is offered for retail sale, as
12 required by G.S. 20-183.4C. This subdivision only applies to motor vehicle
13 dealers, as defined in G.S. 20-286."

14 **SECTION 1.(b)** This section becomes effective December 1, 2022, and applies to
15 offenses committed on or after that date.

16
17 **REQUIRE IDENTIFICATION TO TITLE AND REGISTER A COMPANY VEHICLE**

18 **SECTION 2.(a)** G.S. 20-52 reads as rewritten:

19 "**§ 20-52. Application for registration and certificate of title.**

20 (a) An owner of a vehicle subject to registration must apply to the Division for a
21 certificate of title, a registration plate, and a registration card for the vehicle. To apply, an owner
22 must complete an application provided by the Division. The application shall contain a preprinted
23 option that co-owners may use to title the vehicle as a joint tenancy with right of survivorship.
24 The co-owners' designation of a joint tenancy with right of survivorship on the application shall
25 be valid notwithstanding whether this designation appears on the assignment of title. The
26 application must request all of the following information and may request other information the
27 Division considers necessary:

28 ...

29 (1b) If the owner is a firm, partnership, a corporation, or another entity, the address
30 of the ~~entity~~ entity and a drivers license number or identification card number
31 belonging to a responsible member of the entity.

32"

33 **SECTION 2.(b)** This section becomes effective October 1, 2022.

34
35 **FEE FOR RECORDS REQUESTS**



1 **SECTION 3.(a)** G.S. 20-43.1 reads as rewritten:

2 "**§ 20-43.1. Disclosure of personal information in motor vehicle records.**

3 ...

4 (e1) The Division may provide copies of individual motor vehicle and drivers license
5 records to authorized individuals seeking verification of information regarding license numbers,
6 ownership, or liability insurance upon written request and payment of a fee of one dollar (\$1.00)
7 per individual record.

8 "

9 **SECTION 3.(b)** G.S. 20-4.02 reads as rewritten:

10 "**§ 20-4.02. Quadrennial adjustment of certain fees and rates.**

11 (a) Adjustment for Inflation. – Beginning July 1, 2020, and every four years thereafter,
12 the Division shall adjust the fees and rates imposed pursuant to the statutes listed in this
13 subsection for inflation in accordance with the Consumer Price Index computed by the Bureau
14 of Labor Statistics. The adjustment for per transaction rates in subdivision (8a) of this subsection
15 shall be rounded to the nearest cent and all other adjustments under this subsection shall be
16 rounded to the nearest twenty-five cents (25¢):

17 ...

18 (8) G.S. 20-42(b).

19 (8a) G.S. 20-43.1(e1), with respect to the per individual record fee set in that
20 subsection.

21 ~~(8a)~~(8b) G.S. 20-63(h), with respect to the per transaction rates set in that
22 subsection.

23 (9) G.S. 20-85(a)(1) through (10).

24 "

25 **SECTION 3.(c)** This section becomes effective July 1, 2022.

26
27 **EXEMPT FROM TAXES AND FEES VEHICLES TO BE USED BY A STATE AGENCY**
28 **FOR RESEARCH OR DEMONSTRATION PROJECT**

29 **SECTION 4.(a)** G.S. 105-187.6(a) is amended by adding a new subdivision to read:

30 "(13) To be used by a State agency in a research pilot or demonstration project."

31 **SECTION 4.(b)** G.S. 20-85(c) reads as rewritten:

32 "(c) The Division shall not collect a fee for a certificate of title for a motor vehicle entitled
33 to a permanent registration plate under G.S. 20-84. The Division shall not collect a fee for a
34 certificate of title for a motor vehicle to be used by a State agency in a research pilot or
35 demonstration project."

36 **SECTION 4.(c)** G.S. 20-87 is amended by adding a new subdivision to read:

37 "(14) Research pilot or demonstration project motor vehicles. – The Division shall
38 not collect a registration fee for a motor vehicle to be used by a State agency
39 in a research pilot or demonstration project."

40
41 **INCLUDE RAIL EQUIPMENT WITHIN MEANING OF HIGHWAY**
42 **CONSTRUCTION, MAINTENANCE, OR REPAIR FOR PURPOSES OF**
43 **CONTRACTING**

44 **SECTION 5.** G.S. 136-28.1(c) reads as rewritten:

45 "(c) The construction, maintenance, and repair of rail equipment, ferryboats and all other
46 marine floating equipment and the construction and repair of all types of docks by the Department
47 of Transportation shall be deemed highway construction, maintenance, or repair for the purpose
48 of G.S. 136-28.1 and Chapter 44A and Chapter 143C of the General Statutes, the State Budget
49 Act. In cases of a written determination by the Secretary of Transportation that the requirement
50 for compatibility does not make public advertising feasible for the repair of rail equipment or
51 ferryboats, the public advertising as well as the soliciting of informal bids may be waived."

INCLUDE NEVI AND CRP FEDERAL FUNDS WITHIN THE STI DIVISION NEED PROJECTS ALTERNATE CRITERIA

SECTION 6. G.S. 136-189.11(d)(3)b. reads as rewritten:

"b. Alternate criteria. – Funding from the following programs shall be included in the computation of each of the Department division equal shares but shall be subject to alternate quantitative criteria:

...

3a. Federal National Electric Vehicle Infrastructure (NEVI) Program formula funds appropriated to the State.

3b. Federal Carbon Reduction Program formula funds appropriated to the State.

...."

CLARIFY APPLICATION OF NET PROCEEDS FROM THE SALE OF DEPARTMENT OF TRANSPORTATION LAND

SECTION 7.(a) G.S. 146-30(d)(4) reads as rewritten:

"(4) No service charge into the State Land Fund shall be deducted from or levied against the proceeds of any disposition by sale, lease, rental, or easement of lands (i) owned by the Department of Transportation or (ii) owned by the Department of Administration and solely maintained by the Department of Transportation. All net proceeds of these dispositions shall be deposited into the State Highway Fund."

SECTION 7.(b) G.S. 136-16 reads as rewritten:

"§ 136-16. Funds and property converted to State Highway Fund.

Except as otherwise provided in this Chapter, all funds and property collected by the Department of Transportation shall be paid or converted into the State Highway Fund. For the purposes of this section, funds include net proceeds from the sale of real property owned by the Department or owned by the Department of Administration and solely maintained by the Department of Transportation."

REVISE THE DISADVANTAGED BUSINESS PROGRAM AND EXTEND TO 2027

SECTION 8. G.S. 136-28.4 reads as rewritten:

"§ 136-28.4. State policy concerning participation by disadvantaged minority-owned and women-owned businesses in transportation contracts.

...

(c) The following definitions apply in this section:

(1) "Contract" includes, but is not limited to, contracts let under the procedures set forth in ~~G.S. 136-28.1(a) and (b)~~G.S. 136-28.1(a), (b), and (f).

...

(e) This section expires ~~August 31, 2022~~August 31, 2027."

INCREASED OUTSOURCING TO SMALL PROFESSIONAL SERVICES

SECTION 8.5. G.S. 136-28.10 is amended by adding a new subsection to read:

"(a1) Notwithstanding the provisions of G.S. 136-28.4(b), the Department of Transportation shall increase the outsourcing of professional services for Highway Fund and Highway Trust Fund projects to Small Professional Services Firms. The Department of Transportation may identify professional services likely to attract increased participation by Small Professional Services Firms and restrict the solicitation and award to those firms. The Board of Transportation may delegate full authority to award contracts, adopt necessary rules, and administer the provisions of this section to the Secretary of Transportation."

1

2 **EFFECTIVE DATE**

3 **SECTION 9.** Except as otherwise provided, this act is effective when it becomes

4 law.