

May 13, 2010

H 1729. MOTOR VEHICLES LAW CHANGES (=S 1132). Filed 5/13/10. *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.*

Identical to S 1132, filed 5/12/10.

Intro. by Cole.

GS 20

May 27, 2010

H 1729. MOTOR VEHICLES LAW CHANGES. Filed 5/13/10. House committee substitute makes the following changes to 1st edition.

Deletes changes to GS 20-3 that authorized the Commissioner of Motor Vehicles to transfer employees.

Amends GS 20-63(b) to make an exception permitting vehicles weighing 7,000 through 26,000 pounds to forego having the word "weighted" on the license plate if the plate is a special registration plate authorized under GS 20-79.4.

Amends GS 20-79.2 to expand the specific purposes for which a business or a licensed dealer may obtain a transporter plate to include (1) to pick up and deliver a motor vehicle to be repaired (was, to pick up) and (2) to road test a vehicle that is repaired or inspected (was, repaired) within a 10-mile radius of the place where it was repaired or inspected. Provides that the road test may only be performed by (1) a dealer licensed under Article 12 of GS Chapter 20 or (2) an independent repair facility with a repair business privilege license and proof of financial responsibility. Limits transporter plates to two per business (was, restricted issuance of the transporter plate to licensed dealers). Requires any vehicle being operated on the state's highways and using a transporter plate to have proof of financial responsibility (was, covered by liability insurance) that meets the requirement of Article 9A of GS Chapter 20.

Amends GS 20-79.7(a) to clarify that the Division of Motor Vehicles is to furnish, upon request and free of charge, a single special registration plate to a recipient of a Legion of Valor award, a 100% disabled veteran, and an ex-prisoner of war each year. Provides that these special registration plates are subject to the regular motor vehicle registration fee in GS 20-88.

Amends GS 20-130.1 regarding the exceptions to the prohibition against using red lights on vehicles. Clarifies that the exception applies to Incident Management Assistance Patrol vehicles operated by the Department of Transportation when the vehicle is using rear-facing red lights while stopped for the purpose of providing assistance or incident management.

Amends GS 20-157(f) to define a vehicle being used to restore electric utility service due to an unplanned event as a *public service vehicle*.

Amends GS 20-161(a) to prohibit anyone from parking or leaving a vehicle, unattended or attended, on the main-traveled portion of any highway or highway bridge with a posted speed limit less than 45 miles per hour (was, outside municipal corporate limits) unless the vehicle is temporarily immobilized due to being disabled. Enacts new subsection (a1) to apply the same prohibition to the main-traveled portion of a highway or highway bridge with a posted speed limit of *more* than 45 miles per hour.

Amends GS 20-161(b) to prohibit leaving or parking a vehicle on the shoulder of a public highway unless the vehicle may be clearly seen by approaching drivers from at least 200 feet in both directions.

Amends GS 160A-300.1(c1), GS 160A-300.2(e), and GS 160A-300.3(e) to provide that the duration of the yellow light change interval at intersection where traffic control cameras are used is to be no less than the interval duration specified on the traffic plan of record that is signed and sealed by a professional engineer and complies with the provisions of the Manual of Uniform Traffic Control Devices.

Amends GS 160A-303(b1)(4) regarding the removal and disposal of junked abandoned motor vehicles to provide that vehicles may be classified as such if they are determined by law enforcement to be a hazard to the motoring public.

June 9, 2010

H 1729. MOTOR VEHICLES LAW CHANGES. Filed 5/13/10. House committee substitute makes the following changes to 2nd edition. Amends GS 20-3 to authorize the Commissioner of Motor Vehicles to transfer law enforcement employees of the Division of Motor Vehicles at the employees' request from one locality in the state to another as the Commissioner may deem appropriate. Clarifies in GS 20-63(g) that provisions restricting certain license plate covers do not prohibit the use of license plate frames that cover 30% or less of the state name, number on a year sticker, or number on a month sticker. Increases sanctions for misuse of dealer license plates pursuant to GS 20-79(e) to \$100 (was, \$50) for individuals and to \$250 (was, \$200) for dealers, and deletes provisions in original act making sanctions applicable to misuse of dealer transportation plates as well as dealer license plates. Makes changes to GS 20-79.2 regarding requirements for getting a transporter plate. Amends the statute's sanctions provision to allow rescinding of dealer transporter plates. Deletes provision in original bill repealing requirement for separate registration of logging trucks (GS 20-88.02) and replaces it with section amending the registration requirements in GS 20-88.02 to require registration in accordance with IRS provisions for the collection of federal heavy vehicle use tax. Amends GS 20-118 to modify application of light-traffic road limitations and penalties and to exempt haulers of animal waste from weight restrictions on state roads when waste is transported to a farmer or field. Effective when the act becomes law, amends SL 2009-451 to clarify that the Department of Transportation is required to maintain a central call station to answer questions regarding the state's inspection program. Changes title of act to reflect changes.

June 16, 2010

H 1729. MOTOR VEHICLES LAW CHANGES. Filed 5/13/10. House committee substitute makes the following changes to 3rd edition.

Deletes language amending GS 20-3, which authorized the Commissioner of Motor Vehicles to transfer law enforcement employees in the Division of Motor Vehicles (DMV), upon the employee's request, from one locality in the state to another. Makes a conforming change to the title and renumbers the bill accordingly.

Amends GS 20-63(g) to clarify that any motor vehicle operator who covers any registration number, registration letter, or the state name on a registration plate, number on a year sticker, or number on a month sticker with any frame or transparent clear or color-tinted cover that makes the registration numbers, registration letters, the state name, or the numbers on the stickers illegible commits an infraction and will be penalized under GS 14-3.1 (expands on language in previous edition). Deletes duplicative language in the statute. Removes language from previous edition allowing a motor vehicle operator to cover 30% or less of the state name or number on a year or month sticker on a license plate frame without violation.

Amends GS 20-118 to except vehicles transporting livestock or poultry from their point of origin to a processing plant or first market (was, to first market) from the light-traffic road limitations under GS 20-118(b)(4).

Amends proposed GS 20-161(a1) to exempt a solid waste vehicle, stopped on a highway while collecting garbage or recyclable material, from the prohibition against parking or leaving any vehicle on a highway with a posted speed limit of 45 mph or greater.

June 24, 2010

H 1729. MOTOR VEHICLE LAW CHANGES. Filed 5/13/10. Senate committee substitute makes the following changes to 4th edition.

Amends GS 20-79.2 (regarding transporter plates) to provide that an independent repair facility that is properly licensed (was, required the independent repair facility to have a current auto repair business privilege license) and has proof of financial responsibility may perform the road test authorized under subdivision (a) of this statute. Additionally provides that a transporter plate for the purpose of taking a motor vehicle to or from a motor vehicle auction may be issued to a business with which the dealer contracts to deliver vehicles to or from an auction. Requires that the business with which the dealer contracts have a business privilege license and financial responsibility. Also requires that the title, bill of sale, or written authorization from the dealer or auction be inside a vehicle in order to operate a vehicle displaying a transporter plate.

Amends GS 20-79 (regarding restrictions on the use of a dealer license plate or transporter plate) to provide that a vehicle being repaired or prepared for sale and driven by an employee of the dealer on a highway while bearing a dealer license plate or transporter plate may only be operated within a 20-mile radius (was, 10-mile radius) of the place where the vehicle is being repaired or prepared for sale.

July 1, 2010

H 1729. MOTOR VEHICLE LAW CHANGES. Filed 5/13/10. Senate committee substitute makes the following changes to 5th edition.

Amends GS 20-7(f) to provide that a renewed commercial drivers license expires five years after the expiration date of the license that is renewed.

Amends GS 20-79(d) to delete reference with regards to a dealer transporter plate.

Amends GS 20-79.2 (regarding transporter plates) to require that a person who receives a transporter plate to have proof of financial responsibility that meets the requirements of Article 9A of GS Chapter 20 (previous edition included specific instances where proof of financial responsibility was required). Clarifies that the transporter plate is to be issued to a business or a dealer. Requires (was, allows) the DMV to rescind a transporter plate displayed on a vehicle driven for a purpose that is not authorized.

Makes technical, conforming, and clarifying changes.

Changes the title to *AN ACT TO MAKE VARIOUS CHANGES TO THE MOTOR VEHICLE LAWS*.

July 6, 2010

H 1729. MOTOR VEHICLES LAW CHANGES. Filed 5/13/10. Senate amendment makes the following changes to 6th edition. Amends proposed language in GS 20-79.2 to refer to transporter plates instead of transporter license plates.

July 28, 2010

SL 2010-132 (H 1729). MOTOR VEHICLES LAW CHANGES. AN ACT TO MAKE VARIOUS CHANGES TO THE MOTOR VEHICLE LAWS. Summarized in *Daily Bulletin* 5/13/10, 5/27/10, 6/9/10, 6/16/10, 6/24/10, 7/1/10, and 7/6/10. Enacted July 21, 2010. Sections 21 and 22 are effective July 21, 2010. The remainder is effective December 1, 2010.