

February 11, 2009

**S 139. ADD DIVISION OF LESS TO CCPS.** Filed 2/11/09. *TO CLARIFY THAT THE DIVISION OF LAW ENFORCEMENT SUPPORT SERVICES IS A DIVISION OF THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY, TO ASSIGN DUTIES TO THE DIVISION, AND TO MAKE CORRESPONDING CHANGES TO CHAPTERS 20 AND 105 OF THE GENERAL STATUTES TO ALLOW LAW ENFORCEMENT SUPPORT SERVICES TO TRANSFER MOTOR VEHICLES TO LAW ENFORCEMENT AGENCIES WITHOUT HAVING TO BECOME A MOTOR VEHICLE DEALER OR PAY HIGHWAY USE TAXES.*

Enacts a new Part 7 to Article 11 of GS Chapter 143B to establish the Department of Crime Control and Public Safety, Division of Law Enforcement Support Services (Division), and authorize the Division to perform the following functions: (1) manage state, local, and federal programs that facilitate or enable transfer of technology, goods, and services through excess property, property acquisition, and equipment loan programs; (2) provide central storage and management of evidence per the DNA Database and Databank Act of 1993, and create and maintain a data bank of statewide storage location of postconviction evidence or other similar programs; (3) provide central storage and management of rape kits per the Violence against Women and Department of Justice Reauthorization Act of 2005 with specific protections against release of names of victims providing anonymous or "Jane Doe" rape kits without consent; (4) acquire, maintain, and control equipment to be loaned to law enforcement agencies for use in undercover investigations and to other agencies for other purposes; (5) develop, test, and promulgate innovative and technological solutions for the first responder community; and (6) provide any other assistance the Governor or Secretary of Crime Control and Public Safety may direct.

Amends GS 20-287 to exempt the Division, when receiving, titling, or transferring any vehicle acquired under provisions of Title 10, Section 285 of the US Code or any similar acquisition and transfer program administered by the Division from licensing requirements for any new or used motor vehicle dealer, motor vehicle sales representative, manufacturer, factory branch, factory representative, distributor, distributor branch, distributor representative, or wholesaler engaging in business in the state.

Amends GS 105-87.6(a) to provide the Division and the Department of Environment and Natural Resources, Division of Forest Resources (Forest Resources Division), a full exemption from the tax imposed when a certificate of title is issued as a result of a transfer of a motor vehicle, when acting as pass-through agents for transferring vehicles obtained from the US Department of Defense to emergency response units, law enforcement agencies, and volunteer fire departments within the state. Requires that a vehicle title transfer to a qualified agency be made within 180 days of receipt of the completed Standard Form 97 to remain eligible for the exemption. Provides that the exemption also applies to vehicles returned either to the Division or the Forest Resources Division by a recipient agency for transfer to another qualified agency. Clarifies that emergency response units, law enforcement agencies, and volunteer fire departments are to pay any highway use tax due unless specifically exempted by this section.

**Intro. by Snow.**

GS 20, 105, 143B