

March 9, 2009

S 476. CREATE TITLING CATEGORIES—REPLICA/STREET ROD. Filed 3/9/09. *TO CREATE NEW MOTOR VEHICLE TITLING AND REGISTRATION CATEGORIES FOR MOTOR VEHICLES CLASSIFIED AS REPLICA VEHICLES, STREET RODS, MODIFIED VEHICLES, AND CUSTOM-BUILT VEHICLES; TO REQUIRE AN ADDITIONAL THIRTY-DOLLAR REGISTRATION FEE TO SUPPORT THE DIVISION OF MOTOR VEHICLES LICENSE AND THEFT BUREAU MOTOR VEHICLE EXAMINATION PROGRAM; TO ALLOW ANTIQUE CAR OWNERS TO OBTAIN SPECIALTY PLATES; AND TO MAKE CORRESPONDING CHANGES.*

Adds new subdivision (15a) to GS 20-4.01 to define *inoperable vehicle*. Amends GS 20-4.01(33) to delete *custom assembled vehicles* from the definition for *reconstructed vehicle*. Amends the definition for *Specially Constructed Vehicles* [GS 20-4.01(43)] to identify them as motor vehicles required to be registered under GS Chapter 20 and that fit in one of four categories: (1) replica vehicle, (2) street rod vehicle, (3) modified vehicle, or (4) custom-built vehicle [encompasses the definition for *custom assembled vehicle*, deleted from GS 20-4.01(33)] (was, defined *specially constructed vehicles* as vehicles required to be registered that were not originally constructed under a distinctive name, make, model, or type by a generally recognized motor vehicle manufacturer and not materially altered from their original construction). Defines these categories in terms of how the vehicles are constructed and/or the materials used. Also defines the terms *materially altered* and *essential parts* as used in the amended subdivision.

Enacts new GS 20-49.3 to require an annual in-service training course for Division of Motor Vehicles, License and Theft Bureau (Division), agents. Amends GS 20-53 to add new subsection (e) prohibiting the *issuance of a title* to an initial applicant for a (1) foreign vehicle that is 35 model years or older or (2) specially constructed vehicle before the License and Theft Bureau of the Division has completed an examination of the vehicle. However, permits the Division to *register the vehicle* pending the completion of examination of the vehicle when the application and required documents are submitted. Provides that this registration is valid for one year and is non-renewable unless the vehicle examination has been completed.

Enacts new GS 20-53.1 to provide criteria for titling specially constructed vehicles or inoperable vehicles. Provides that inoperable vehicles may be titled but no registration may be issued until the License and Theft Bureau inspects the vehicle to ensure that it is mechanically fit for operation on public roads. Requires that motor vehicle certificates of title and registration cards issued under this section disclose if the vehicle is classified as a specially constructed vehicle or an inoperable vehicle. Enacts new GS 20-53.2 to make it a misdemeanor to fail to disclose the status of a specially constructed or inoperable motor vehicle.

Enacts new GS 20-53.3 to permit an individual to request a review by the Vehicle Classification Review Committee (Review Committee) of a determination of a specially constructed vehicle classification. Provides that a decision of the Review Committee may be appealed to the Commissioner of Motor Vehicles (Commissioner). Provides that the Commissioner's decision is final. Provides criteria for the membership of the five-member Review Committee.

Amends GS 20-71.3(b) to provide that any motor vehicle that is up to and including six model years old that is to be retitled in the state is subject to inspections by the License and Theft Bureau (was, the Enforcement Section) of the Division. Amends GS 105-187.3(b) to define the basis for determining the market value of replica or custom-built vehicles and all other vehicles. Amends GS 105-187.6(a) to add an inoperable vehicle as defined in GS 20-4.01 to the list of full exemptions from imposition of the highway use tax when a certificate of title is issued as the result of the transfer of a motor vehicle.

Effective October 1, 2009.

Intro. by East.

GS 20, 105

May 12, 2009

S 476. CREATE TITLING CATEGORIES-REPLICA/STREET ROD. Filed 3/9/09. Senate committee substitute makes the following changes to 1st edition. Changes title to read: *AN ACT TO CREATE NEW MOTOR VEHICLE TITLING AND REGISTRATION CATEGORIES FOR*

MOTOR VEHICLES CLASSIFIED AS REPLICA VEHICLES, STREET RODS, MODIFIED VEHICLES, AND CUSTOM-BUILT VEHICLES, AND TO MAKE CORRESPONDING CHANGES.