

March 24, 2009

S 820. CREATE NEW TITLING CATEGORIES. Filed 3/24/09. *TO CREATE NEW MOTOR VEHICLE TITLING AND REGISTRATION CATEGORIES FOR MOTOR VEHICLES CLASSIFIED AS CUSTOM-BUILT VEHICLES, REPLICA VEHICLES, AND STREET RODS AND TO MAKE CORRESPONDING CHANGES.*

Amends GS 20-4.01(33) as the title indicates. Modifies the definition for *reconstructed vehicle* to include motor vehicles that have been materially altered from original construction due to removal, addition, or substitution of parts so that it is no longer visually identifiable as a generally recognized manufacturer-built vehicle. Adds definitions for *replica vehicles*, *street rod vehicles*, and *custom-built vehicle*. Identifies *replica*, *street rod*, and *custom-built* vehicle titles as *specially constructed vehicle*; however, excludes motorcycles from the classification as *specially constructed vehicle*. Makes conforming changes to GS 20-71.3(a) and 20-71.4(a)(2).

Amends GS 20-54 to provide that certificates of title and registration for generally recognized manufacturer-built vehicles are not to be denied or delayed because the originating title is from out-of-state, because of the age of the vehicle, or because the vehicle has not been first inspected by a representative of the Division of Motor Vehicles (DMV) unless there is some probable cause to believe that an individual vehicle has some issue that justifies an inspection before title and registration are issued.

Amends GS 20-70 to provide that the notification and registration requirements in GS 20-70(a) and (b) regarding an engine change are only required if the motor vehicle into which a new engine is installed is identified solely by an engine number.

Amends GS 20-71.3(b) to require any vehicle up to and including six model years old that is damaged by collision or other occurrence and is to be retitled in this state to be inspected by the License and Theft Bureau (was, Enforcement Section) of the DMV.

Effective July 1, 2009, and applies to applications received by the DMV on or after that date.

Intro. by Hartsell, Berger of Franklin.

GS 20

May 13, 2009

S 820. CREATE NEW TITLING CATEGORIES. Filed 3/24/09. Senate committee substitute makes the following changes to 1st edition. Changes title to *AN ACT TO CREATE NEW MOTOR VEHICLE TITLING AND REGISTRATION CATEGORIES FOR MOTOR VEHICLES CLASSIFIED AS REPLICA VEHICLES, STREET RODS, AND CUSTOM VEHICLES, AND TO MAKE CORRESPONDING CHANGES*. Deletes original Section 1 amending GS 20-4.01(33) and inserts definitions for *replica vehicle*, *street rod vehicle* and *custom vehicle* under the definition for *specially constructed vehicles* into new Section 1 amending GS 20-4.01(43). Proposes new GS 20-53.1 setting forth the manner in which replica vehicles, street rods and custom vehicles must be titled. Makes clarifying and organizational changes to proposed amendments to GS 20-54. Deletes proposed amendments to GS 20-71.3(a) and (b). Changes effective date so that amendment of GS 20-40.1(43) and new GS 20-53.1 become effective on October 1, 2009, with the remainder of the bill becoming effective when it becomes law (was, entire act effective July 1, 2009). Makes other clarifying changes.

May 14, 2009

S 820. CREATE NEW TITLING CATEGORIES. Filed 3/24/09. Senate amendment makes the following changes to 2nd edition.

Amends GS 20-4.01(43) to add a definition for *materially altered* as it is used in this subdivision. Deletes criteria that a street rod vehicle has been *modernized from the manufacturer's original design* and replaces it with *materially altered*. Adds to specially constructed vehicles the category of modified vehicle. Defines a *modified vehicle* as one manufactured in or after 1949 which has been materially altered or has a body constructed from non-original materials. Provides that the categories of replica vehicle, street rod vehicle, and modified vehicle exclude motorcycles. Provides that the category of custom-built vehicle includes motorcycles. Amends the criteria for custom-built vehicle to delete the requirements that the vehicle (1) was manufactured in or after 1949 and (2) is 25 years old or older. Specifies that custom-built vehicle includes motorcycles that were originally sold unassembled and

manufactured from a kit or which have been materially altered or have a body constructed from non-original materials. Makes organizational and technical changes.

Deletes proposed changes to GS 20-54. Enacts new GS 20-53.1 to provide for the titling of specially constructed vehicles and inoperable vehicles. Provides that the titles of all replica vehicles, street rod vehicles, modified vehicles, and custom-built vehicles are to be branded as "Specially Constructed Vehicle." Permits inoperable vehicles to be titled, but prohibits the issuance of registration until the License and Theft Bureau inspects the vehicle to ensure that it is mechanically fit to operate on a public vehicular area. Amends GS 20-4.01 to add a definition for *inoperable vehicle*.

Amends GS 20-53 to direct the Division of Motor Vehicles (DMV) to return to the owner, after initial review, any original titles submitted to document evidence of foreign registration on vehicles 35 model years and older, appropriately marked to indicate that the title has been previously submitted. Requires that there must be a vehicle examination conducted by the License and Theft Bureau of the DMV prior to the issuance of a title to an initial applicant for (1) an out-of-state vehicle model that is 35 model years or older or (2) a specially constructed vehicle. Provides additional criteria for issuing title and registration for these vehicles.

Enacts new GS 20-53.3 to provide that any person not satisfied with the DMV's classification of a vehicle may ask for a review of the DMV's determination by the Vehicle Classification Review Committee (Committee). Provides process for initiating the review and for appeals from the Committee's decisions. Provides that the Committee is to consist of five members and provides criteria for the composition of the Committee.

Effective October 1, 2009, and applies to title and registration applications received on or after that date.

July 8, 2009

S 820. CREATE NEW TITLING CATEGORIES. Filed 3/24/09. House committee substitute makes the following changes to 3rd edition. Deletes the definitions for *materially altered* and *modified vehicle* in proposed amended GS 20-4.01(43). Provides that a *replica vehicle* is a vehicle, excluding motorcycles, that when assembled replicates an earlier year, make, and model vehicle (was, also required the vehicle to be originally sold unassembled and manufactured from a kit).

The 3rd edition of S820 contained two versions of GS 20-53.1. Retains proposed GS 20-53.1, *Specially constructed vehicle certificate of title and registration*, but moves the provisions from now deleted proposed GS 20-53.1, *Specially constructed and inoperable vehicle titles*, into the retained GS 20-53.1. Makes a conforming deletion regarding modified vehicles. Replaces the term *branded* with the term *labeled* throughout. Provides that inoperable vehicles may be titled, but no registration may be issued until such time as the License and Theft Bureau inspects the vehicle to ensure it is substantially assembled (was, mechanically fit for operation on a public street, highway, or public vehicular area). Makes a conforming change.

Clarifies in proposed GS 20-4.01(15a) that *inoperable vehicle* means a motor vehicle that *is substantially disassembled and for this reason* is mechanically unfit or unsafe to be operated or moved upon a public street, highway, or public vehicular area.

Adds in proposed amended GS 20-53 that an owner must surrender to the Division of Motor Vehicles notarized copies of original titles on vehicles 35 model years old or older as evidence of foreign registration if under the owner's possession or control. Clarifies that the License and Theft Bureau are to conduct vehicle verification (was, examination) on certain vehicles before issuing a title. Prohibits examination of covert vehicle identification numbers (VINs) on an out-of-state vehicle 35 model years old or older unless the inspector develops probable cause (was, reasonable suspicion) to believe that the documents or VIN do not match the vehicle being examined.

Deletes in proposed GS 20-53.3 that the decision of the Commissioner of Motor Vehicles, regarding an appeal from the determination by the Vehicle Classification Review Committee (Committee) on the classification for a specially constructed vehicle, is final and no further appeal is authorized. Makes organizational changes to subsection (b) and modifies the composition of

the Committee. Establishes the staggering of the terms for Committee members, with initial appointments by October 1, 2009.

Makes amendments to GS 20-70 and GS 20-53 effective when the act becomes law. The remainder of the act is effective October 1, 2009 (was, the entire act was effective October 1, 2009, and specified that the act applied to title and registration applications received on or after that date).

August 5, 2009

SL 2009-405 (S 820). CREATE NEW TITLING CATEGORIES. *AN ACT TO CREATE NEW MOTOR VEHICLE TITLING AND REGISTRATION CATEGORIES FOR MOTOR VEHICLES CLASSIFIED AS REPLICA VEHICLES, STREET RODS, AND CUSTOM VEHICLES, AND TO MAKE CORRESPONDING CHANGES.* Summarized in *Daily Bulletin* 3/24/09, 5/13/09, 5/14/09, and 7/8/09. Enacted August 5, 2009. Sections 3 and 5 are effective August 5, 2009. The remainder is effective October 1, 2009.