

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 1729*
PROPOSED COMMITTEE SUBSTITUTE H1729-PCS60081-RW-78

Short Title: Motor Vehicles Law Changes.

(Public)

Sponsors:

Referred to:

May 17, 2010

A BILL TO BE ENTITLED

1 AN ACT TO SPECIFY THE DATE OF EXPIRATION OF A COMMERCIAL DRIVERS
2 LICENSE; CLARIFY THE WORDING OF A SPECIAL LICENSE PLATE ON A
3 VEHICLE OVER SIX THOUSAND POUNDS; PROHIBIT SPECIFIED LICENSE
4 PLATE COVERS; REPEAL AUTHORIZATION FOR EMERGENCY USE OF
5 REGISTRATION PLATES; MAKE CHANGES TO THE LAW GOVERNING DEALER
6 PLATES AND TRANSPORTER PLATES; CLARIFY ELIGIBILITY FOR CERTAIN
7 FREE LICENSE PLATES; CLARIFY THE FEE FOR A SPECIAL PLATE ON A
8 PROPERTY HAULING VEHICLE; ELIMINATE THE FEE FOR REGISTRATION
9 RENEWAL BY MAIL; REPEAL A REQUIREMENT FOR SEPARATE
10 REGISTRATION OF LOGGING TRUCKS; AUTHORIZE INCIDENT MANAGEMENT
11 ASSISTANCE PATROL VEHICLES TO USE RED LIGHTS; EXTEND
12 APPLICABILITY OF THE MOVE OVER LAW TO VEHICLES BEING USED TO
13 RESTORE ELECTRIC UTILITY SERVICE DUE TO AN UNPLANNED EVENT;
14 MODIFY THE CURRENT PROHIBITION ON PARKING ON HIGHWAYS OR
15 HIGHWAY SHOULDERS; PROVIDE THAT FAILURE TO COMPLY WITH THE
16 LAWS GOVERNING TRANSPORTER PLATES IS GROUNDS FOR DENYING,
17 SUSPENDING, OR REVOKING A DEALER LICENSE; SPECIFY THAT THE
18 YELLOW LIGHT DURATION INTERVAL FOR A TRAFFIC CONTROL
19 PHOTOGRAPHIC SYSTEM BE SET OUT IN A TRAFFIC SIGNAL PLAN SIGNED
20 AND SEALED BY A PROFESSIONAL ENGINEER; AND CHANGE THE LAW
21 CONCERNING REMOVAL OF ABANDONED VEHICLES FROM STREETS AND
22 HIGHWAYS IN MUNICIPALITIES.

23
24 The General Assembly of North Carolina enacts:

25 **SECTION 1.** G.S. 20-7(f) reads as rewritten:

26 "(f) Duration and Renewal of Licenses. – Drivers licenses shall be issued and renewed
27 pursuant to the provisions of this subsection:

- 28 (1) Duration of license for persons under age 18. – A full provisional license
29 issued to a person under the age of 18 expires on the person's twenty-first
30 birthday.
- 31 (2) Duration of original license for persons at least 18 years of age or older. – A
32 drivers license issued to a person at least 18 years old but less than 54 years
33 old expires on the birthday of the licensee in the eighth year after issuance.
34 A drivers license issued to a person at least 54 years old expires on the



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1 birthday of the licensee in the fifth year after issuance. A commercial drivers
2 license shall expire on the birth date of the licensee in the fifth year after
3 issuance. A commercial drivers license that has a vehicles carrying
4 passengers (P) and school bus (S) endorsement issued pursuant to
5 G.S. 20-37.16 shall expire on the birth date of the licensee three years after
6 the date of issuance, if the licensee is certified to drive a school bus in North
7 Carolina.

8 (2a) Duration of renewed licenses. – A renewed drivers license that was issued
9 by the Division to a person at least 18 years old but less than 54 years old
10 expires eight years after the expiration date of the license that is renewed. A
11 renewed drivers license that was issued by the Division to a person at least
12 54 years old expires five years after the expiration date of the license that is
13 renewed. A commercial drivers license shall expire on the birth date of the
14 licensee in the fifth year after issuance.

15 (3) Duration of license for certain other drivers. – The durations listed in
16 subdivisions (1), (2) and (2a) of this subsection are valid unless the Division
17 determines that a license of shorter duration should be issued when the
18 applicant holds valid documentation issued by, or under the authority of, the
19 United States government that demonstrates the applicant's legal presence of
20 limited duration in the United States. In no event shall a license of limited
21 duration expire later than the expiration of the authorization for the
22 applicant's legal presence in the United States.

23 (3a) When to renew. – A person may apply to the Division to renew a license
24 during the 180-day period before the license expires. The Division may not
25 accept an application for renewal made before the 180-day period begins.

26 (3b) Renewal for certain members of the Armed Forces and reserve components
27 of the Armed Forces.

28 a. The Division may renew a drivers license, without limitation on the
29 period of time before the license expires, if the person applying for
30 renewal is a member of the Armed Forces or of a reserve component
31 of the Armed Forces of the United States and provides orders that
32 place the member on active duty and duty station outside this State.

33 b. A person who is a member of a reserve component of the Armed
34 Forces of the United States whose license bears an expiration date
35 that occurred while the person was on active duty outside this State
36 shall be considered to have a valid license until 60 days after the date
37 of release from active duty upon showing proof of the release date,
38 unless the license was rescinded, revoked, or otherwise invalidated
39 under some other provision of law. Notwithstanding the provisions of
40 this sub-subdivision, no license shall be considered valid more than
41 18 months after the date of expiration.

42 (4) Renewal by mail. – The Division may renew by mail a drivers license issued
43 by the Division to a person who meets any of the following descriptions:

44 a. Is a member of the Armed Forces or a reserve component of the
45 Armed Forces of the United States serving on active duty and is
46 stationed outside this State.

47 b. Is a resident of this State and has been residing outside the State for
48 at least 30 continuous days.

49 When renewing a license by mail, the Division may waive the examination
50 that would otherwise be required for the renewal and may impose any
51 conditions it finds advisable. A license renewed by mail is a temporary

1 license that expires 60 days after the person to whom it is issued returns to
2 this State.

- 3 (5) License to be sent by mail. – The Division shall issue to the applicant a
4 temporary driving certificate valid for 20 days, unless the applicant is
5 applying for renewal by mail under subdivision (4) of this subsection. The
6 temporary driving certificate shall be valid for driving purposes only and
7 shall not be valid for identification purposes. The Division shall produce the
8 applicant's drivers license at a central location and send it to the applicant by
9 first-class mail at the residence address provided by the applicant, unless the
10 applicant is ineligible for mail delivery by the United States Postal Service at
11 the applicant's residence. If the United States Postal Service documents that
12 it does not deliver to the residential address provided by the applicant, and
13 the Division has verified the applicant's residential address by other means,
14 the Division may mail the drivers license to the post office box provided by
15 the applicant. Applicants whose only mailing address prior to July 1, 2008,
16 was a post office box in this State may continue to receive their license at
17 that post office box, provided the applicant's residential address has been
18 verified by the Division."

19 **SECTION 2.** G.S. 20-63(b) reads as rewritten:

20 "(b) Every license plate shall have displayed upon it the registration number assigned to
21 the vehicle for which it is issued, the name of the State of North Carolina, which may be
22 abbreviated, and the year number for which it is issued or the date of expiration. A plate issued
23 for a commercial vehicle, as defined in G.S. 20-4.2(1), and weighing 26,001 pounds or more,
24 must bear the word "commercial," unless the plate is a special registration plate authorized in
25 G.S. 20-79.4 or the commercial vehicle is a trailer or is licensed for 6,000 pounds or less. The
26 plate issued for vehicles licensed for 7,000 pounds through 26,000 pounds must bear the word
27 "weighted". "weighted", unless the plate is a special registration plate authorized in
28 G.S. 20-79.4.

29 Except as otherwise provided in this subsection, a registration plate issued by the Division
30 for a private passenger vehicle or for a private hauler vehicle licensed for 6,000 pounds or less
31 shall be a "First in Flight" plate. A "First in Flight" plate shall have the words "First in Flight"
32 printed at the top of the plate above all other letters and numerals. The background of the plate
33 shall depict the Wright Brothers biplane flying over Kitty Hawk Beach, with the plane flying
34 slightly upward and to the right. The following special registration plates do not have to be a
35 "First in Flight" plate. The design of the plates that are not "First in Flight" plates must be
36 approved by the Division and the State Highway Patrol for clarity and ease of identification.

- 37 (1) Friends of the Great Smoky Mountains National Park.
38 (2) Rocky Mountain Elk Foundation.
39 (3) Blue Ridge Parkway Foundation.
40 (4) Friends of the Appalachian Trail.
41 (5) NC Coastal Federation.
42 (6) In God We Trust.
43 (7) Stock Car Racing Theme.
44 (8) Buddy Pelletier Surfing Foundation.
45 (9) Guilford Battleground Company.
46 (10) National Wild Turkey Federation.
47 (11) North Carolina Aquarium Society.
48 (12) First in Forestry.
49 (13) North Carolina Wildlife Habitat Foundation.
50 (14) NC Trout Unlimited.
51 (15) Ducks Unlimited.

- 1 (16) Lung Cancer Research.
- 2 (17) NC State Parks.
- 3 (18) Support Our Troops.
- 4 (19) US Equine Rescue League.
- 5 (20) Fox Hunting.
- 6 (21) Back Country Horsemen of North Carolina.
- 7 (22) Hospice Care.
- 8 (23) Home Care and Hospice.
- 9 (24) NC Tennis Foundation.
- 10 (25) AIDS Awareness."

11 **SECTION 3.** G.S. 20-63(g) reads as rewritten:

12 "(g) Alteration, Disguise, or Concealment of Numbers. – Any operator of a motor
 13 vehicle who shall willfully mutilate, bend, twist, cover or cause to be covered or partially
 14 covered by any bumper, light, spare tire, tire rack, strap, or other device, or who shall paint,
 15 enamel, emboss, stamp, print, perforate, or alter or add to or cut off any part or portion of a
 16 registration plate or the figures or letters thereon, or who shall place or deposit or cause to be
 17 placed or deposited any oil, grease, or other substance upon such registration plates for the
 18 purpose of making dust adhere thereto, or who shall deface, disfigure, change, or attempt to
 19 change any letter or figure thereon, or who shall display a number plate in other than a
 20 horizontal upright position, shall be guilty of a Class 2 misdemeanor. Any operator of a motor
 21 vehicle who shall willfully cover or cause to be covered any part or portion of a registration
 22 plate or the figures or letters thereon by any device designed or intended to prevent or interfere
 23 with the taking of a clear photograph of a registration plate by a traffic control or toll collection
 24 system using cameras commits an infraction and shall be ~~fin~~ed-penalized under G.S. 14-3.1.
 25 Any operator of a motor vehicle who shall otherwise intentionally cover any number or
 26 registration renewal sticker on a registration plate with any material that makes the number or
 27 registration renewal sticker illegible commits an infraction and shall be ~~fin~~ed-penalized under
 28 G.S. 14-3.1. Any operator of a motor vehicle who covers any number or registration renewal
 29 sticker on a registration plate with any transparent clear or color-tinted cover that makes the
 30 numbers and letters or registration renewal sticker illegible commits an infraction and shall be
 31 penalized under G.S. 14-3.1. Any operator of a motor vehicle who covers the State name, year
 32 sticker, or month sticker on a registration plate with a license plate frame commits an infraction
 33 and shall be ~~fin~~ed-penalized under G.S. 14-3.1. ~~Nothing in this subsection shall prohibit the use~~
 34 ~~of transparent covers that do not prevent or interfere with the taking of a clear photograph of a~~
 35 ~~registration plate by a traffic control or toll collection system using cameras."~~

36 **SECTION 4.** G.S. 20-64.2 is repealed.

37 **SECTION 5.** G.S. 20-79 reads as rewritten:

38 "**§ 20-79. Dealer license plates.**

39 (a) How to Get a Dealer Plate. – The Division may issue a person licensed under
 40 Article 12 of this Chapter the appropriate classification of dealer license plate. A person
 41 eligible for a dealer license plate may obtain one by filing an application with the Division and
 42 paying the required fee. An application must be filed on a form provided by the Division. The
 43 required fee is the amount set by G.S. 20-87(7).

44 (b) Number of Plates. – A dealer who was licensed under Article 12 of this Chapter for
 45 the previous 12-month period ending December 31 may obtain the number of dealer license
 46 plates allowed by the following table; the number allowed is based on the number of motor
 47 vehicles the dealer sold during the relevant 12-month period and the average number of
 48 qualifying sales representatives the dealer employed during that same 12-month period:

49	50	51
<u>Vehicles Sold In Relevant</u>	<u>Maximum Number of Plates</u>	
<u>12-Month Period</u>		

1	Fewer than 12	4 <u>3</u>
2	At least 12 but less than 25	4 <u>6</u>
3	At least 25 but less than 37	5 <u>7</u>
4	At least 37 but less than 49	6 <u>8</u>
5	49 or more	At least 6 <u>8</u> , but no more than 4 <u>5</u> times the
6		average number of qualifying sales representatives
7		employed by the dealer during the relevant
8		12-month period.

10 A dealer who was not licensed under Article 12 of this Chapter for part or all of the
 11 previous 12-month period ending December 31 may obtain the number of dealer license plates
 12 that equals four times the number of qualifying sales representatives employed by the dealer on
 13 the date the dealer files the application. A "qualifying sales representative" is a sales
 14 representative who works for the dealer at least 25 hours a week on a regular basis and is
 15 compensated by the dealer for this work.

16 A dealer who sold fewer than 49 motor vehicles the previous 12-month period ending
 17 December 31 but has sold at least that number since January 1 may apply for additional dealer
 18 license plates at any time. The maximum number of dealer license plates the dealer may obtain
 19 is the number the dealer could have obtained if the dealer had sold at least 49 motor vehicles in
 20 the previous 12-month period ending December 31.

21 A dealer who applies for a dealer license plate must certify to the Division the number of
 22 motor vehicles the dealer sold in the relevant period. Making a material misstatement in an
 23 application for a dealer license plate is grounds for the denial, suspension, or revocation of a
 24 dealer's license under G.S. 20-294.

25 A dealer engaged in the alteration and sale of specialty vehicles may apply for up to two
 26 dealer plates in addition to the number of dealer plates that the dealer would otherwise be
 27 entitled to under this section.

28 This subsection does not apply to manufacturers licensed under Article 12 of this Chapter.

29 (c) Form and Duration. – A dealer license plate is subject to G.S. 20-63, except for the
 30 requirement that the plate display the registration number of a motor vehicle and the
 31 requirement that the plate be a "First in Flight" plate. A dealer license plate must have a
 32 distinguishing symbol identifying the plate as a dealer license plate. The symbol may vary
 33 depending upon the classification of dealer license plate issued. The Division must provide
 34 suitably reduced sized license plates for motorcycle dealers and manufacturers.

35 A dealer license plate is issued for a period of one year. The Division shall vary the
 36 expiration dates of dealer registration renewals so that an approximately equal number expires
 37 at the end of each month, quarter, or other period consisting of one or more months. A dealer
 38 license plate may be transferred from one vehicle to another. When the Division issues a dealer
 39 plate, it may issue a registration that expires at the end of any monthly interval. When one of
 40 the following occurs, a dealer must surrender to the Division all dealer license plates issued to
 41 the dealer:

- 42 (1) The dealer surrenders the license issued to the dealer under Article 12 of this
- 43 Chapter.
- 44 (2) The Division suspends or revokes the license issued to the dealer under
- 45 Article 12 of this Chapter.
- 46 (3) The Division rescinds the dealer license plates because of a violation of the
- 47 restrictions on the use of a dealer license plate.

48 To obtain a dealer license plate after it has been surrendered, the dealer must file a new
 49 application for a dealer license plate and pay the required fee for the plate.

50 (d) Restrictions on Use. – A dealer license plate or dealer transporter plate may be
 51 displayed only on a motor vehicle that meets all of the following requirements:

- 1 (1) Is part of the inventory of the dealer.
- 2 (2) Is not consigned to the dealer.
- 3 (3) Is covered by liability insurance that meets the requirements of Article 9A of
4 this Chapter.
- 5 (4) Is not used by the dealer in another business in which the dealer is engaged.
- 6 (5) Is driven on a highway by a person who meets one of the following
7 descriptions:
 - 8 a. Has a demonstration permit to test-drive the motor vehicle and
9 carries the demonstration permit while driving the motor vehicle.
 - 10 b. Is an officer or sales representative of the dealer and is driving the
11 vehicle for a business purpose of the dealer.
 - 12 c. Is an employee of the dealer and is driving the vehicle in the course
13 of employment.
 - 14 d. Is an employee of the dealer, or an employee of a business contracted
15 by the dealer to pick up and repair or otherwise prepare for sale a
16 vehicle that is part of the inventory of the dealer. Where the vehicle
17 is being repaired or prepared for sale, the vehicle may only be
18 operated within a 10-mile radius of the place where it is being
19 repaired or prepared for sale.
 - 20 e. Is an employee or contractor of the dealer when transporting a
21 vehicle that is part of the inventory of the dealer when the vehicle is
22 being transported to or from a vehicle auction, or transporting a
23 vehicle that is part of the inventory of the dealer to the dealer's
24 established salesroom.
 - 25 f. A dealer transporter plate shall not be used for purposes of
26 subsections (a), (b), and (c) of this section.
- 27 (6) A copy of the registration card for the dealer plate or dealer transporter plate
28 issued to the dealer is carried by the person operating the motor vehicle or, if
29 the person is operating the motor vehicle in this State, the registration card is
30 maintained on file at the dealer's address listed on the registration card, and
31 the registration card must be able to be produced within 24 hours upon
32 request of any law enforcement officer.

33 A dealer may issue a demonstration permit for a motor vehicle to a person licensed to drive
34 that type of motor vehicle. A demonstration permit authorizes each person named in the permit
35 to drive the motor vehicle described in the permit for up to 96 hours after the time the permit is
36 issued. A dealer may, for good cause, renew a demonstration permit for one additional 96-hour
37 period.

38 A dealer may not lend, rent, lease, or otherwise place a dealer license plate at the disposal
39 of a person except as authorized by this subsection.

40 (e) Sanctions. – The following sanctions apply when a motor vehicle displaying a
41 dealer license plate or a dealer transporter plate is driven in violation of the restrictions on the
42 use of the plate:

- 43 (1) The individual driving the motor vehicle is responsible for an infraction and
44 is subject to a penalty of fifty dollars (\$50.00).
- 45 (2) The dealer to whom the plate is issued is subject to a civil penalty imposed
46 by the Division of two hundred dollars (\$200.00).
- 47 (3) The Division may rescind all dealer license plates and dealer transporter
48 plates issued to the dealer whose plate was displayed on the motor vehicle.

49 A penalty imposed under subdivision (1) of this subsection is payable to the county where
50 the infraction occurred, as required by G.S. 14-3.1. A civil penalty imposed under subdivision
51 (2) of this subsection shall be credited to the Highway Fund as nontax revenue.

1 (f) Transfer of Dealer Registration. – No change in the name of a firm, partnership or
2 corporation, nor the taking in of a new partner, nor the withdrawal of one or more of the firm,
3 shall be considered a new business; but if any one or more of the partners remain in the firm, or
4 if there is change in ownership of less than a majority of the stock, if a corporation, the business
5 shall be regarded as continuing and the dealers' plates originally issued may continue to be
6 used.

7 (g) Penalties. – The clear proceeds of all civil penalties, civil forfeitures, and civil fines
8 that are collected by the Department of Transportation pursuant to this section shall be remitted
9 to the Civil Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2.

10 (h) Definition. – For purposes of this section, the term "dealer" means a person who is
11 licensed under Article 12 of this Chapter."

12 **SECTION 6.** G.S. 20-79.2 reads as rewritten:

13 **"§ 20-79.2. Transporter plates.**

14 (a) Who Can Get a Plate. – ~~A person engaged in a business~~ or a dealer licensed
15 pursuant to Article 12 of this Chapter requiring the limited operation of a motor vehicle for any
16 of the following purposes may obtain a transporter plate authorizing the movement of the
17 vehicle for the specific purpose:

- 18 (1) To facilitate the manufacture, construction, rebuilding, or delivery of new or
19 used truck cabs or bodies between manufacturer, dealer, seller, or purchaser.
- 20 (2) To repossess a motor vehicle. Any applicant for a transporter plate pursuant
21 to this subsection shall show proof of garage liability insurance coverage as
22 required by Article 9A of this Chapter. Issuance of a transporter plate for this
23 purpose shall be limited to a financial institution to repossess a motor vehicle
24 of which they are the recorded lienholder.
- 25 (3) To pick up and deliver a motor vehicle that is to be ~~repaired~~ repaired, is to
26 undergo a safety or emissions inspection, or is to otherwise be prepared for
27 sale by a dealer, to road-test the vehicle, if it is ~~repaired~~, repaired or
28 inspected within a 10-mile radius of the place where it is ~~repaired~~, repaired
29 or inspected, and to deliver the vehicle to the dealer. The road test authorized
30 by this subdivision may only be performed by a dealer licensed under Article
31 12 of this Chapter or an independent repair facility that has a current auto
32 repair business privilege license and proof of financial responsibility.
33 Issuance of a transporter plate for this purpose shall be limited to two
34 transporter plates for each business.
- 35 (4) To move a motor vehicle that is owned by the business and is a replaced
36 vehicle offered for sale. Issuance of a transporter plate for this purpose shall
37 be limited to licensed dealers.
- 38 (5) To take a motor vehicle either to or from a motor vehicle auction where the
39 vehicle will be or was offered for sale. Issuance of a transporter plate for this
40 purpose shall be limited to licensed dealers.
- 41 (6) To road-test a repaired truck whose GVWR is at least 15,000 pounds when
42 the test is performed within a 10-mile radius of the place where the truck
43 was repaired and the truck is owned by a person who has a fleet of at least
44 five trucks whose GVWRs are at least 15,000 pounds and who maintains the
45 place where the truck was repaired. Any applicant for a transporter plate
46 pursuant to this subsection shall show proof of garage liability insurance
47 coverage as required by Article 9A of this Chapter.
- 48 (7) To move a mobile office, a mobile classroom, or a mobile or manufactured
49 ~~home~~, home, or to transport a newly manufactured travel trailer, fifth-wheel
50 trailer, or camping trailer between a manufacturer and a dealer. Any
51 transporter plate used for this purpose shall not be used on the power unit.

1 (8) To drive a motor vehicle that is at least ~~25~~35 years old to and from a parade
2 or another public event and to drive the motor vehicle in that event. A person
3 who owns a motor vehicle that is at least ~~25~~35 years old is considered to be
4 in the business of collecting those vehicles. These vehicles shall be titled in
5 this State and have proof of financial responsibility as required under Article
6 9A of this Chapter.

7 (9) To drive a motor vehicle that is part of the inventory of a dealer to and from
8 a motor vehicle trade show or exhibition or to, during, and from a parade in
9 which the motor vehicle is used. Issuance of a transporter plate for this
10 purpose shall be limited to licensed dealers.

11 (10) To drive special mobile equipment in any of the following circumstances:

12 a. From the manufacturer of the equipment to a facility of a dealer.

13 b. From one facility of a dealer to another facility of a dealer.

14 c. From a dealer to the person who buys the equipment from the dealer.

15 (b) How to Get a Plate. – A ~~person-business~~ may obtain a transporter plate by filing an
16 application with the Division and paying the required fee. An application must be on a form
17 provided by the Division and contain the information required by the Division. The fee for a
18 transporter plate is one-half the fee set in G.S. 20-87(5) for a passenger motor vehicle of not
19 more than 15 passengers.

20 (b1) Number of Plates. – The total number of ~~dealer~~ transporter ~~and-or~~ dealer plates
21 issued to a dealer may not exceed the total number of ~~dealer~~ plates that can be issued to the
22 dealer under G.S. 20-79(b). ~~This restriction does not apply to a person who is not a dealer.~~
23 Transporter plates issued to a dealer shall bear the words "Dealer-Transporter." This subsection
24 shall not apply to a person who is not a dealer.

25 (b2) Sanctions. – The following sanctions apply when a motor vehicle displaying a
26 "Dealer-Transporter" or "Transporter" license plate is driven in violation of the restrictions on
27 the use of the plate or in violation of the requirements for financial responsibility in this
28 section:

29 (1) The individual driving the motor vehicle is responsible for an infraction and
30 is subject to a penalty of ~~fifty dollars (\$50.00).~~ one hundred dollars
31 (\$100.00).

32 (2) ~~The dealer person, dealer, or business~~ to whom the plate is issued is subject
33 to a civil penalty imposed by the Division of ~~two hundred dollars (\$200.00).~~
34 two hundred fifty dollars (\$250.00) per occurrence.

35 (3) The Division may rescind all dealer license plates or transporter plates
36 issued to the dealer person, dealer, or business whose plate was displayed on
37 the motor vehicle.

38 (4) Any person, dealer, or business who sells, rents, leases, or otherwise
39 provides a transporter plate to another person or business in exchange for
40 money or any other thing of value shall be guilty of a Class I felony. Any
41 conviction for violation of this subsection shall be considered a felony
42 involving moral turpitude for purposes of G.S. 20-294.

43 A penalty imposed under subdivision (1) of this subsection is payable to the county where
44 the infraction occurred, as required by G.S. 14-3.1. A civil penalty imposed under subdivision
45 (2) of this subsection shall be credited to the Highway Fund as nontax revenue. A law
46 enforcement officer having probable cause to believe that a transporter plate is being used in
47 violation of this section may seize the plate.

48 (c) Form, Duration, and Transfer. – ~~A transporter plate is a type of commercial license~~
49 ~~plate. A transporter plate issued to a dealer is issued on a fiscal year basis. A transporter plate~~
50 ~~issued to a person who is not a dealer is issued on a calendar year basis. A transporter license~~
51 plate is subject to G.S. 20-63, except for the requirement that the plate display the registration

1 number of a motor vehicle and the requirement that the plate be a "First in Flight" plate. A
2 transporter license plate shall have a distinguishing symbol identifying the plate as a transporter
3 license plate. The symbol may vary depending upon the classification of transporter license
4 plate issued. A transporter license plate is issued for a period of one year. The Division shall
5 vary the expiration dates of transporter registration renewals so that an approximately equal
6 number expires at the end of each month, quarter, or other period consisting of one or more
7 months. When the Division issues a transporter plate, it may issue a registration that expires at
8 the end of any monthly interval. During the year for which it is issued, a ~~person~~ business or
9 dealer may transfer a transporter plate from one vehicle to another as long as the vehicle is
10 driven only for a purpose authorized by subsection (a) of this section. The Division ~~may~~ shall
11 rescind a transporter plate that is displayed on a motor vehicle driven for a purpose that is not
12 authorized by subsection (a) of this section.

13 (d) A county may obtain one transporter plate, without paying a fee, by filing an
14 application with the Division on a form to be provided by the Division. A transporter plate
15 issued pursuant to this subsection may only be used to transport motor vehicles as part of a
16 program established by the county to receive donated motor vehicles and make them available
17 to low-income individuals.

18 If a motor vehicle is operated on the highways of this State using a transporter plate
19 authorized by this section, all of the following requirements shall be met:

- 20 (1) The driver of the vehicle shall have in his or her possession the certificate of
21 title for the motor vehicle, which has been properly reassigned by the
22 previous owner to the county or the affected donor program.
23 (2) The vehicle shall be covered by liability insurance that meets the
24 requirements of Article 9A of this Chapter.

25 The form and duration of the transporter plate shall be as provided in subsection (c) of this
26 section.

27 (e) Any vehicle being operated on the highways of this State using a transporter plate
28 shall have proof of financial responsibility that meets the requirement of Article 9A of this
29 Chapter."

30 **SECTION 7.** G.S. 20-79.7(a) reads as rewritten:

31 **"§ 20-79.7. Fees for special registration plates and distribution of the fees.**

32 (a) Fees. – Upon request, the Division shall provide and issue free of charge ~~one~~
33 ~~registration plate~~ a single Legion of Valor, 100% Disabled Veteran, and Ex-Prisoner of War
34 registration plate to a recipient of a Legion of Valor award, a 100% disabled veteran, and an
35 ex-prisoner of ~~war~~ war each year. The preceding special registration plates are subject to the
36 regular motor vehicle registration fee in G.S. 20-88. All other special registration ~~plates,~~
37 ~~including additional Legion of Valor, 100% Disabled Veteran, and Ex-Prisoner of War plates,~~
38 plates are subject to the regular motor vehicle registration fee in G.S. 20-87 or G.S. 20-88 plus
39 an additional fee in the following amount:"

40 **SECTION 8.** G.S. 20-85.1 reads as rewritten:

41 **"§ 20-85.1. Registration by mail; one-day title service; fees.**

42 (a) The owner of a vehicle registered in North Carolina may renew that vehicle
43 registration by mail. ~~A postage and handling fee of one dollar (\$1.00) per vehicle to be~~
44 ~~registered shall be charged for this service.~~

45 (b) The Commissioner and the employees of the Division designated by the
46 Commissioner may prepare and deliver upon request a certificate of title, charging a fee of
47 seventy-five dollars (\$75.00) for one-day title service, in lieu of the title fee required by
48 G.S. 20-85(a). The fee for one-day title service must be paid by cash or by certified check. This
49 fee shall be credited to the Highway Trust Fund.

50 (c) ~~The fee collected under subsection (a) shall be credited to the Highway Fund. The~~
51 ~~fee collected under subsection (b) shall be credited to the Highway Trust Fund."~~

1 **SECTION 9.** G.S. 20-88.02 is repealed.

2 **SECTION 10.** G.S. 20-130.1 reads as rewritten:

3 **"§ 20-130.1. Use of red or blue lights on vehicles prohibited; exceptions.**

4 (a) It is unlawful for any person to install or activate or operate a red light in or on any
5 vehicle in this State. As used in this subsection, unless the context requires otherwise, "red
6 light" means an operable red light not sealed in the manufacturer's original package which: (i)
7 is designed for use by an emergency vehicle or is similar in appearance to a red light designed
8 for use by an emergency vehicle; and (ii) can be operated by use of the vehicle's battery,
9 vehicle's electrical system, or a dry cell battery. As used in this subsection, the term "red light"
10 shall also mean any forward facing red light installed on a vehicle after initial manufacture of
11 the vehicle.

12 (b) The provisions of subsection (a) of this section do not apply to the following:

- 13 (1) A police car;
- 14 (2) A highway patrol car;
- 15 (3) A vehicle owned by the Wildlife Resources Commission and operated
16 exclusively for law-enforcement purposes;
- 17 (4) An ambulance;
- 18 (5) A vehicle used by an organ procurement organization or agency for the
19 recovery and transportation of blood, human tissues, or organs for
20 transplantation;
- 21 (6) A fire-fighting vehicle;
- 22 (7) A school bus;
- 23 (8) A vehicle operated by any member of a municipal or rural fire department in
24 the performance of his duties, regardless of whether members of that fire
25 department are paid or voluntary;
- 26 (9) A vehicle of a voluntary lifesaving organization (including the private
27 vehicles of the members of such an organization) that has been officially
28 approved by the local police authorities and which is manned or operated by
29 members of that organization while answering an official call;
- 30 (10) A vehicle operated by medical doctors or anesthetists in emergencies;
- 31 (11) A motor vehicle used in law enforcement by the sheriff, or any salaried rural
32 policeman in any county, regardless of whether or not the county owns the
33 vehicle;
- 34 (11a) A vehicle operated by the State Fire Marshal or his representatives in the
35 performance of their duties, whether or not the State owns the vehicle;
- 36 (12) A vehicle operated by any county fire marshal, assistant fire marshal, or
37 emergency management coordinator in the performance of his duties,
38 regardless of whether or not the county owns the vehicle;
- 39 (13) A light required by the Federal Highway Administration;
- 40 (14) A vehicle operated by a transplant coordinator who is an employee of an
41 organ procurement organization or agency when the transplant coordinator is
42 responding to a call to recover or transport human tissues or organs for
43 transplantation;
- 44 (15) A vehicle operated by an emergency medical service as an emergency
45 support vehicle; ~~and~~
- 46 (16) A State emergency management ~~vehicle-vehicle; and~~
- 47 (17) An Incident Management Assistance Patrol vehicle operated by the
48 Department of Transportation, when using rear-facing red lights while
49 stopped for the purpose of providing assistance or incident management.

50 (c) It is unlawful for any person to possess a blue light or to install, activate, or operate
51 a blue light in or on any vehicle in this State, except for a publicly owned vehicle used for law

1 enforcement purposes or any other vehicle when used by law enforcement officers in the
2 performance of their official duties. As used in this subsection, unless the context requires
3 otherwise, "blue light" means any forward facing blue light installed on a vehicle after initial
4 manufacture of the vehicle; or an operable blue light which:

5 (1) Is not (i) being installed on, held in inventory for the purpose of being
6 installed on, or held in inventory for the purpose of sale for installation on a
7 vehicle on which it may be lawfully operated or (ii) installed on a vehicle
8 which is used solely for the purpose of demonstrating the blue light for sale
9 to law enforcement personnel;

10 (1a) Is designed for use by an emergency vehicle, or is similar in appearance to a
11 blue light designed for use by an emergency vehicle; and

12 (2) Can be operated by use of the vehicle's battery, the vehicle's electrical
13 system, or a dry cell battery.

14 (c1) The provisions of subsection (c) of this section do not apply to the possession and
15 installation of an inoperable blue light on a vehicle that is inspected by and registered with the
16 Department of Motor Vehicles as a specially constructed vehicle and that is used primarily for
17 participation in shows, exhibitions, parades, or holiday/weekend activities, and not for general
18 daily transportation. For purposes of this subsection, "inoperable blue light" means a
19 blue-colored lamp housing or cover that does not contain a lamp or other mechanism having
20 the ability to produce or emit illumination.

21 (d) Repealed by Session Laws 1999-249, s. 1.

22 (e) Violation of subsection (a) or (c) of this section is a Class 1 misdemeanor."

23 **SECTION 11.** G.S. 20-157(f) reads as rewritten:

24 "(f) When an authorized emergency vehicle as described in subsection (a) of this section
25 or any public service vehicle is parked or standing within 12 feet of a roadway and is giving a
26 warning signal by appropriate light, the driver of every other approaching vehicle shall, as soon
27 as it is safe and when not otherwise directed by an individual lawfully directing traffic, do one
28 of the following:

29 (1) Move the vehicle into a lane that is not the lane nearest the parked or
30 standing authorized emergency vehicle or public service vehicle and
31 continue traveling in that lane until safely clear of the authorized emergency
32 vehicle. This paragraph applies only if the roadway has at least two lanes for
33 traffic proceeding in the direction of the approaching vehicle and if the
34 approaching vehicle may change lanes safely and without interfering with
35 any vehicular traffic.

36 (2) Slow the vehicle, maintaining a safe speed for traffic conditions, and operate
37 the vehicle at a reduced speed and be prepared to stop until completely past
38 the authorized emergency vehicle or public service vehicle. This paragraph
39 applies only if the roadway has only one lane for traffic proceeding in the
40 direction of the approaching vehicle or if the approaching vehicle may not
41 change lanes safely and without interfering with any vehicular traffic.

42 For purposes of this section, "public service vehicle" means a vehicle that is being used to assist
43 motorists or law enforcement officers with wrecked or disabled vehicles, or is a vehicle being
44 used to restore electric utility service due to an unplanned event, and is operating an
45 amber-colored flashing light authorized by G.S. 20-130.2. Violation of this subsection shall be
46 negligence per se."

47 **SECTION 12.** G.S. 20-161(a) reads as rewritten:

48 "(a) No person shall park or leave standing any vehicle, whether attended or unattended,
49 upon the ~~paved or main-traveled~~ portion of any highway or highway bridge ~~outside municipal~~
50 ~~corporate limits~~ with the speed limit posted less than 45 miles per hour unless the vehicle is

1 disabled to such an extent that it is impossible to avoid stopping and temporarily leaving the
2 vehicle upon the paved or main traveled portion of the highway or highway bridge."

3 **SECTION 13.** G.S. 20-161 is amended by adding a new subsection to read:

4 "(a1) No person shall park or leave standing any vehicle, whether attended or unattended,
5 upon the paved or main-traveled portion of any highway or highway bridge with the speed limit
6 posted 45 miles per hour or greater unless the vehicle is disabled to such an extent that it is
7 impossible to avoid stopping and temporarily leaving the vehicle upon the paved or
8 main-traveled portion of the highway or highway bridge."

9 **SECTION 14.** G.S. 20-161(b) reads as rewritten:

10 "(b) No person shall park or leave standing any vehicle upon the shoulder of a public
11 highway ~~outside municipal corporate limits~~ unless the vehicle can be clearly seen by
12 approaching drivers from a distance of 200 feet in both directions and does not obstruct the
13 normal movement of traffic."

14 **SECTION 15.** G.S. 20-294(2) reads as rewritten:

15 "**§ 20-294. Grounds for denying, suspending or revoking licenses.**

16 The Division may deny, suspend, or revoke a license issued under this Article for any one
17 or more of the following grounds:

18 (2) Willfully and intentionally failing to comply with this Article, Article 15 of
19 this Chapter, or G.S. 20-52.1, 20-75, 20-79.1, 20-79.2, 20-108, 20-109, or a
20 rule adopted by the Division under this Article."

21 **SECTION 16.** G.S. 160A-300.1(c1) reads as rewritten:

22 "(c1) The duration of the yellow light change interval at intersections where traffic control
23 photographic systems are in use shall be no less than the yellow light change interval duration
24 specified ~~in the Design Manual developed by the Signals and Geometries Section of the North~~
25 ~~Carolina Department of Transportation~~ on the traffic signal plan of record signed and sealed by
26 a professional engineer, licensed in accordance with the provisions of Chapter 89C of the
27 General Statutes, and shall comply with the provisions of the Manual on Uniform Traffic
28 Control Devices."

29 **SECTION 17.** G.S. 160A-300.2(e), as enacted by Section 3 of S.L. 2001-286,
30 reads as rewritten:

31 "(e) The duration of the yellow light change interval at intersections where traffic control
32 photographic systems are in use shall be no less than the yellow light change interval duration
33 specified ~~in the Design Manual developed by the Signals and Geometries Section of the North~~
34 ~~Carolina Department of Transportation~~ on the traffic signal plan of record signed and sealed by
35 a professional engineer, licensed in accordance with the provisions of Chapter 89C of the
36 General Statutes, and shall comply with the provisions of the Manual on Uniform Traffic
37 Control Devices."

38 **SECTION 18.** G.S. 160A-300.3(e), as enacted by Section 4 of S.L. 2001-286,
39 reads as rewritten:

40 "(e) The duration of the yellow light change interval at intersections where traffic control
41 photographic systems are in use shall be no less than the yellow light change interval duration
42 specified ~~in the Design Manual developed by the Signals and Geometries Section of the North~~
43 ~~Carolina Department of Transportation~~ on the traffic signal plan of record signed and sealed by
44 a professional engineer, licensed in accordance with the provisions of Chapter 89C of the
45 General Statutes, and shall comply with the provisions of the Manual on Uniform Traffic
46 Control Devices."

47 **SECTION 19.** G.S. 160A-303(b1)(4) reads as rewritten:

48 "(4) Is left on any public street or highway for longer than seven ~~days~~ days or is
49 determined by law enforcement to be a hazard to the motoring public."

50 **SECTION 20.** This act becomes effective December 1, 2010, and applies to
51 offenses committed on or after that date.