

Senate Bill 820

	*	1
	AMENDMENT NO.	
	(to be filled in by	
S820-AMA-23 [v.4]	Principal Clerk)	
į, s		Page 1 of 4
Comm. Sub. [YES]		
Amends Title [NO]	Date5-14	,2009
Second Edition		
Senator 4 and		
	the state of the s	
moves to amend the bill on pag	ge 1, lines 7 through 31, by rewriting those lines to rea	ıd:
"SECTION 1. G.S	. 20-4.01(43) reads as rewritten:	
"(43) Specially C	constructed Vehicles Vehicles of a type requ	ired to be
registered h	ereunder not originally constructed under a distinct	ctive name,
make, mode	el, or type by a generally recognized manufacturer	of vehicles
	erially altered from their original construction. Mo	
	be registered under this Chapter and that fit within	
	ategories. For purposes of this subdivision, 'materia	
	e removal, addition, or substitution of new or used es	
, , , , , , , , , , , , , , , , , , , ,	odification of any essential part from its original conf	
	riginally produced by the manufacturer; and 'esse	ential parts'
	ehicle's frame rail, body, and chassis.	
	ica vehicle. – A vehicle, excluding motorcycles, ori	
	sembled and manufactured from a kit, which wher	1 assembled
	cates an earlier year, make, and model vehicle.	
	et rod vehicle. – A vehicle, excluding motorcycles, m	
	to 1949, which has been materially altered or	has a body
3.5.4	tructed from nonoriginal materials.	6 . 1
	<u>ified vehicle. – A vehicle, excluding motorcycles, m</u>	
	r after 1949 which has been materially altered or	nas a body
	tructed from nonoriginal materials.	
	om-built vehicle. – A vehicle, including r	
	nstructed or assembled by a nonmanufacturer from i	
	which has an exterior that does not replicate or re	
	r manufactured vehicle. This category also includes	
	h were originally sold unassembled and manufacture	
	hich have been materially altered or has a body const	tructed from
nono	original materials.""	
And also moves to amend the	bill on page 2, line 13, through page 3, line 2, by rev	vriting those

lines to read:



Senate Bill 820

AMENDMENT NO.	1
(to be filled in by	
Principal Clerk)	

S820-AMA-23 [v.4]

40

41

Page 2 of 4

200	Page 2 of 4
1	"SECTION 3. Part 3 of Article 3 of Chapter 20 of the General Statutes is amended
2	by adding a new section to read:
3	The state of the s
4	"§ 20-53.1. Specially constructed and inoperable vehicle titles.
5	(a) Specially constructed vehicles shall be titled in the following manner:
6	(1) Replica vehicles shall be titled as the year, make, and model of the vehicle
7	intended to be replicated. A label of 'Replica' shall be applied to the title and
8	registration card. All replica vehicle titles shall be branded as 'Specially
9	Constructed Vehicle.'
10	(2) The model year of a street rod vehicle shall continue to be recognized as the
11	manufacturer's assigned model year. The manufacturer's name shall continue
12	to be used as the make with a label of 'Street Rod' applied to the title and
13	registration card. All street rod vehicle titles will be branded as 'Specially
14	Constructed Vehicle.'
15	(3) The model year of a modified vehicle shall continue to be recognized as the
16	manufacturer's assigned model year. The manufacturer's name shall continue
17	to be used as the make with the label of 'Modified' applied to the title and
18	registration card. All modified vehicle titles shall be branded as 'Specially
19 20	Constructed Vehicle.' (4) Cystem by it vehicles shall be titled and resistered shawing the make as
21	(4) <u>Custom-built vehicles shall be titled and registered showing the make as 'Custom-built,'</u> and the year the vehicle was built shall be the vehicle model
22	year. All custom-built vehicle titles shall be branded as 'Specially
23	Constructed Vehicle.'
24	(b) Inoperable vehicles may be titled, but no registration may be issued until such time
25	as the License and Theft Bureau inspects the vehicle to ensure it is mechanically fit for
26	operation on a public street, highway, or public vehicular area. Once a vehicle has been deemed
27	safe and operable pursuant to an inspection by the License and Theft Bureau, the
28	Commissioner shall title the vehicle by classifying it in the proper category and collecting all
29	highway use taxes applicable to the value of the car at the time the vehicle is retitled to a proper
30	classification described in this section.
31	(c) Motor vehicle certificates of title and registration cards issued pursuant to this
32	section shall be branded in accordance with this section. As used in this section, 'branded'
33	means that the title and registration card shall contain a designation that discloses if the vehicle
34	is classified as any of the following:
35	(1) Specially constructed vehicle.
36	(2) <u>Inoperable vehicle.""</u>
37	
38	And also moves to amend the bill on page 3, lines 8 through 10, by rewriting those lines to
39	read:

"SECTION 5. G.S. 20-4.01 is amended by adding a new subdivision to read:

Senate Bill 820

S820-AMA-23 [v.4]

Page 3 of 4

"(15a) Inoperable Vehicle. – A motor vehicle that is mechanically unfit or unsafe to be operated or moved upon a public street, highway, or public vehicular area.""

And also moves to amend the bill on page 3, by inserting the following language after the last section:

"SECTION 6. G.S. 20-53 reads as rewritten:

"§ 20-53. Application for specially constructed, reconstructed, or foreign vehicle.

- (a) In the event the vehicle to be registered is a specially constructed, reconstructed, or foreign vehicle, such fact shall be stated in the application, and with reference to every foreign vehicle which has been registered outside of this State, the owner shall surrender to the Division all registration cards and certificates of title or other evidence of such foreign registration as may be in his possession or under his control, except as provided in subsection (b) hereof. After initial review, the Division shall return to the owner original titles presented on vehicles 35 model years and older appropriately marked indicating that the title has been previously submitted.
- (b) Where, in the course of interstate operation of a vehicle registered in another state, it is desirable to retain registration of said vehicle in such other state, such applicant need not surrender, but shall submit for inspection said evidence of such foreign registration, and the Division in its discretion, and upon a proper showing, shall register said vehicle in this State but shall not issue a certificate of title for such vehicle.
 - (c), (d) Repealed by Session Laws 1965, c. 734, s. 2
- (e) No title shall be issued to an initial applicant for (i) out of state vehicles that are 35 model years or older or (ii) a specially constructed vehicle prior to the completion of a vehicle examination conducted by the License and Theft Bureau of the Division of Motor Vehicles. These inspections shall be conducted as soon as practical. For an out of state vehicle that is 35 model years or older this inspection shall consist of verifying the public vehicle identification number to ensure that it matches the vehicle and ownership documents. No covert vehicle identification numbers are to be examined on an out of state vehicle 35 model years or older unless the inspector develops reasonable suspicion that the ownership documents or public vehicle identification number presented does not match the vehicle being examined. However, upon such application and the submission of any required documentation, the Division shall be authorized to register the vehicle pending the completion of the examination of the vehicle. Such registration shall be valid for one year but shall not be renewed unless and until the vehicle examination has been completed."

SECTION 7. Part 3 of Article 3 of Chapter 20 of the General Statues is amended by adding a new section to read:

"§ 20-53.3. Appeal of specially constructed vehicle classification determination to Vehicle Classification Review Committee.

(a) Any person aggrieved by the Division's determination of the appropriate vehicle classification for a specially constructed vehicle may request review of that determination by the Vehicle Classification Review Committee. This review shall be initiated by completing a

Senate Bill 820

	1	
AMENDMENT NO.		
(to be filled in by		
Principal Clerk)		

S820-AMA-23 [v.4]

Page 4 of 4

1	Vehicle Classification Review Request and returning the request to the Division, Such Vehicle
2	Classification Review Request shall be made on a form provided by the Division. The decision
3	of the Review Committee may be appealed to the Commissioner of Motor Vehicles. The
4	decision of the Commissioner is final, and no further appeal is authorized.
5	(b) The Vehicle Classification Review Committee shall consist of five members. Three
6	members shall be personnel of the License and Theft Bureau of the Division of Motor Vehicles
7	and shall be designated by the Commissioner. Two members shall be members of the public
8	with expertise in antique or specially constructed vehicles and shall be appointed by the
9	Commissioner. Any member of the public so appointed shall serve at the pleasure of the
10	Commissioner."
11	SECTION 8. This act becomes effective October 1, 2009, and applies to title and
12	registration applications received on or after that date."
13	
	1
	SIGNED
	Amendment Sponsor
	SIGNED
	Committee Chair if Senate Committee Amendment
	ADOPTED 31-14 FAILED TABLED
	5-14-09 Sanct Purit
	Janet Puill

ADOPTED