

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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HOUSE BILL 763
PROPOSED COMMITTEE SUBSTITUTE H763-PCS30384-RC-44

Short Title: License Plate Agency Contracts.

(Public)

Sponsors:

Referred to:

April 7, 2011

A BILL TO BE ENTITLED

AN ACT AUTHORIZING THE JOINT LEGISLATIVE PROGRAM EVALUATION
OVERSIGHT COMMITTEE TO DIRECT THE PROGRAM EVALUATION DIVISION
TO STUDY THE DIVISION OF MOTOR VEHICLES' COMMISSION CONTRACT
FOR THE ISSUANCE OF PLATES AND CERTIFICATES PROGRAM TO DEVELOP
OPERATIONAL PRACTICES THAT WOULD RESULT IN INCREASED OPERATING
EFFICIENCY AND TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO
PROVIDE TAG SERVICES AT MILITARY BASES.

The General Assembly of North Carolina enacts:

SECTION 1. The Joint Legislative Program Evaluation Oversight Committee shall include in the 2011-2012 Work Plan for the Program Evaluation Division of the General Assembly a study to evaluate the Division of Motor Vehicles' Commission Contract for the Issuance of Plates and Certificates program, authorized in G.S. 20-63(h), to determine the cost-effectiveness and savings that can be effected by changing or maintaining the current operating procedures and to develop any plans or practices that, if implemented, would result in increased operating efficiency of the Division of Motor Vehicles' Commission Contract program.

SECTION 2. The Program Evaluation Division shall submit its findings and recommendations for Section 1 of this act to the Joint Legislative Program Evaluation Oversight Committee, the Joint Legislative Transportation Oversight Committee, and the Fiscal Research Division at a date to be determined by the Joint Legislative Program Evaluation Oversight Committee.

SECTION 3. The Commissioner of Motor Vehicles shall not cancel or amend any commission contracts for any reason other than malfeasance, misfeasance, or nonfeasance of the commission contractor until the study required by this act is complete and final recommendations have been acted upon by the Joint Legislative Program Evaluation Oversight Committee.

SECTION 4. G.S. 20-63(h) reads as rewritten:

"(h) Commission Contracts for Issuance of Plates and Certificates. – All registration plates, registration certificates, and certificates of title issued by the Division, outside of those issued from the Charlotte and Raleigh offices of the ~~Division~~ Division, those issued on military bases by the Division, and those issued and handled through the United States mail, shall be issued insofar as practicable and possible through commission contracts entered into by the



1 Division for the issuance of the plates and certificates in localities throughout North Carolina
2 with persons, firms, corporations or governmental subdivisions of the State of North Carolina.
3 The Division shall make a reasonable effort in every locality, except as noted above, to enter
4 into a commission contract for the issuance of the plates and certificates and a record of these
5 efforts shall be maintained in the Division. In the event the Division is unsuccessful in making
6 commission contracts, it shall issue the plates and certificates through the regular employees of
7 the Division. Whenever registration plates, registration certificates, and certificates of title are
8 issued by the Division through commission contract arrangements, the Division shall provide
9 proper supervision of the distribution. Nothing contained in this subsection will allow or permit
10 the operation of fewer outlets in any county in this State than are now being operated.

11 Commission contracts entered into by the Division under this subsection shall provide for
12 the payment of compensation on a per transaction basis. The collection of the highway use tax
13 shall be considered a separate transaction for which one dollar and twenty-seven cents (\$1.27)
14 compensation shall be paid. The performance at the same time of one or more of the remaining
15 transactions listed in this subsection shall be considered a single transaction for which one
16 dollar and forty-three cents (\$1.43) compensation shall be paid.

17 A transaction is any of the following activities:

- 18 (1) Issuance of a registration plate, a registration card issued without collection
19 of property taxes or fees under G.S. 105-330.5, a registration renewal
20 sticker, or a certificate of title.
- 21 (2) Issuance of a handicapped placard or handicapped identification card.
- 22 (3) Acceptance of an application for a personalized registration plate.
- 23 (4) Acceptance of a surrendered registration plate, registration card, or
24 registration renewal sticker, or acceptance of an affidavit stating why a
25 person cannot surrender a registration plate, registration card, or registration
26 renewal sticker.
- 27 (5) Cancellation of a title because the vehicle has been junked.
- 28 (6) Acceptance of an application for, or issuance of, a refund for a fee or a tax,
29 other than the highway use tax.
- 30 (7) Receipt of the civil penalty imposed by G.S. 20-311 for a lapse in financial
31 responsibility or receipt of the restoration fee imposed by that statute.
- 32 (8) Acceptance of a notice of failure to maintain financial responsibility for a
33 motor vehicle.
- 34 (8a) Collection of civil penalties imposed for violations of G.S. 20-183.8A.
- 35 (8b) Sale of one or more inspection stickers in a single transaction to a licensed
36 inspection station.
- 37 (9) Collection of the highway use tax.
- 38 (10) Acceptance of a temporary lien filing."

39 **SECTION 5.** This act is effective when it becomes law.