

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

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HOUSE BILL 594  
PROPOSED SENATE COMMITTEE SUBSTITUTE H594-PCS10565-RW-76

Short Title: MV Dealer Doc. Retention/Inspection/Format.

(Public)

Sponsors:

Referred to:

April 9, 2015

1 A BILL TO BE ENTITLED  
2 AN ACT TO MODIFY THE REQUIREMENTS FOR MOTOR VEHICLE DEALER RECORDS  
3 RETENTION, AVAILABILITY FOR INSPECTION BY THE DIVISION OF MOTOR  
4 VEHICLES, AND FORMAT.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. G.S. 20-297 reads as rewritten:

7 "§ 20-297. **Retention and inspection of certain records.**

8 (a) Vehicles. – A dealer must keep a record of all vehicles received by the dealer and all  
9 vehicles sold by the dealer. The records must contain the information that the Division ~~requires.~~  
10 requires and be made available for inspection by the Division within a reasonable period of time  
11 after being requested by the Division. A dealer may ~~keep~~ satisfy the record-keeping requirements  
12 contained in this subsection either by (i) keeping and ~~maintain~~ maintaining written or paper  
13 records at the dealership facility where the vehicles were sold or at another ~~established office~~  
14 located site within this State provided that the location and the name of a designated contact agent  
15 are provided to the Division and the records can be made available for inspection by the Division  
16 within a reasonable period of time after being requested by the Division. Division or (ii)  
17 maintaining electronic copies of the records required by this subsection, provided that the Division  
18 shall have access to these electronic records from a location within this State. For purposes of this  
19 section, the location where dealership written or electronic records are kept and maintained may  
20 be owned and operated by a party other than the dealer.

21 (b) Inspection. – The Division may inspect the pertinent books, records, letters, and  
22 contracts of a licensee relating to any written complaint made to the Division against the licensee.

23 (c) Records Format. – Any record required to be kept and maintained under this section  
24 may be converted to electronic form and retained by a dealer in electronic form without retention  
25 of the original or any copies of the record in paper or other nonelectronic form."

26 SECTION 2. The Department of Transportation, Division of Motor Vehicles, shall  
27 adopt rules consistent with the provisions of this act. Rules adopted pursuant to this section shall  
28 not be subject to G.S. 150B-19.1(e), 150B-19.1(f), and 150B-21.4.

29 SECTION 3. This act is effective when it becomes law.



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