

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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SENATE BILL 326
House Committee Substitute Favorable 5/23/17
Third Edition Engrossed 6/1/17
Proposed Conference Committee Substitute S326-PCCS45446-RWf-1

Short Title: Clarify HUT & Improve Vehicle Titling Process.

(Public)

Sponsors:

Referred to:

March 22, 2017

1 A BILL TO BE ENTITLED
2 AN ACT TO CLARIFY THE APPLICATION OF THE HIGHWAY USE TAX TO
3 OUT-OF-STATE VEHICLES TITLED IN THIS STATE, TO IMPROVE THE VEHICLE
4 TITLING PROCESS BY ELIMINATING DUPLICATIVE REQUIREMENTS, AND TO
5 DIRECT DMV TO TITLE AND REGISTER HIGH-MOBILITY MULTIPURPOSE
6 VEHICLES.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** G.S. 105-187.6 is amended by adding a new subsection to read:

9 "(d) Exemption Limitation. – The full exemptions set out in subsection (a) of this
10 section, except for those set out in subdivisions (1), (2), (9), and (10) of subsection (a) of this
11 section, do not apply to a certificate of title issued for a motor vehicle titled in another state at
12 the time of the transfer. The partial exemptions set out in subsection (b) of this section do not
13 apply to a certificate of title issued for a motor vehicle titled in another state at the time of the
14 transfer."

15 **SECTION 2.(a)** Subdivisions (4), (5), and (6) of subsection (a) of G.S. 20-52 are
16 repealed.

17 **SECTION 2.(b)** G.S. 20-52(a) is amended by adding a new subdivision to read:

18 "(7) A statement that the owner has proof of financial responsibility, as required
19 by Article 9A or Article 13 of this Chapter."

20 **SECTION 2.(c)** G.S. 58-2-164(b) reads as rewritten:

21 "(b) It shall be a Class 3 misdemeanor for any person who, with the intent to deceive an
22 insurer, does any of the following:

- 23 (1) Presents or causes to be presented a written or oral statement in support of an
24 application for issuance of or amendment to a policy of auto ~~insurance or for~~
25 ~~vehicle registration pursuant to G.S. 20-52(a)(4) and (a)(5), insurance,~~
26 knowing that the application contains false or misleading information that
27 states the applicant is an eligible risk when the applicant is not an eligible
28 risk.
- 29 (2) Assists, abets, solicits, or conspires with another person to prepare or make
30 any written or oral statement that is intended to be presented to an insurer in
31 connection with or in support of an application for issuance of or amendment
32 to a policy of auto ~~insurance or for vehicle registration pursuant to~~
33 ~~G.S. 20-52(a)(4) and (a)(5), insurance,~~ if the person knows that the statement



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1 contains false or misleading information that states the applicant is an
2 eligible risk when the applicant is not an eligible risk.

3 In addition to any other penalties authorized by law, a violation of this subsection may be
4 punishable by a fine of not more than one thousand dollars (\$1,000) for each violation."

5 **SECTION 2.1.(a)** G.S. 20-4.01 is amended by adding a new subdivision to read:

6 "(12h) High-Mobility Multipurpose Wheeled Vehicle (HMMWV). – A four-wheel
7 drive vehicle produced for military or government use and commonly
8 referred to as a "HMMWV" or "Humvee"."

9 **SECTION 2.1.(b)** Part 3 of Article 3 of Chapter 20 of the General Statutes is
10 amended by adding a new section to read:

11 "**§ 20-53.5. Titling and registration of HMMWV.**

12 (a) Registration and Certificate of Title. – The Division shall register and issue a
13 certificate of title for an HMMWV if all of the following conditions are met:

14 (1) The applicant for the title and registration of the HMMWV has provided to
15 the Division a sworn affidavit from a manufacturer, motor vehicle dealer, or
16 seller of the HMMWV certifying that the vehicle complies with all
17 applicable federal motor vehicle safety standards for vehicles designed for
18 highway use.

19 (2) The vehicle has a vehicle identification number that matches the vehicle
20 ownership documents. If the vehicle does not have a vehicle identification
21 number, the Division shall assign one to the vehicle prior to registration. The
22 existence of a valid vehicle identification number for the vehicle shall be
23 verified by the License and Theft Bureau of the Division prior to its
24 registration and titling.

25 (b) Applicability of This Chapter. – All provisions of this Chapter shall apply to an
26 HMMWV, including the provisions of Article 3A and Article 9A of this Chapter, to the same
27 extent they would apply to any other registered motor vehicle.

28 (c) Fees. – The vehicle registration fees applicable to property-hauling vehicles shall
29 apply to the registration of an HMMWV.

30 (d) No Liability for Operations. – Neither the State nor its commission contract agents
31 shall be liable for any injury or damages resulting from the operation of an HMMWV
32 registered or titled pursuant to this section."

33 **SECTION 3.** Section 2 of this act becomes effective July 1, 2017. The remainder
34 of this act is effective when it becomes law.