

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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SENATE BILL 411
Transportation Committee Substitute Adopted 4/24/17
PROPOSED HOUSE COMMITTEE SUBSTITUTE S411-PCS35362-SUF-40

Short Title: Various Motor Vehicle Law Revisions.

(Public)

Sponsors:

Referred to:

March 29, 2017

1 A BILL TO BE ENTITLED
2 AN ACT TO EXPAND THE REQUIRED USE OF THE ELECTRONIC LIEN SYSTEM
3 IMPLEMENTED BY THE DIVISION OF MOTOR VEHICLES, TO REVISE THE LAW
4 GOVERNING WHEN A MOTOR VEHICLE DEALER THAT DOES NOT HAVE A
5 MOTOR VEHICLE'S STATEMENT OF ORIGIN OR CERTIFICATE OF TITLE MAY
6 TRANSFER TITLE TO THE MOTOR VEHICLE, AND TO MAKE OTHER CHANGES
7 TO LAWS AFFECTING MOTOR VEHICLE DEALERS.

8 The General Assembly of North Carolina enacts:

9 SECTION 1. G.S. 20-58.4A(i) reads as rewritten:

10 "(i) Mandatory Participation. – ~~Beginning July 1, 2016, all~~ All individuals and lienholders
11 ~~who are normally engaged in the business or practice of financing motor vehicles, and who~~
12 ~~conduct at least five transactions annually,~~ annually shall utilize the electronic lien system
13 implemented in subsection (a) of this section to record information concerning the perfection and
14 release of a security interest in a vehicle. No lien on a motor vehicle shall be noted on the
15 certificate of title or otherwise perfected by the Division unless the electronic lien system is
16 utilized by the lienholder in accordance with this section."

17 SECTION 2.(a) G.S. 20-52.1(d) reads as rewritten:

18 "(d) When a manufacturer's statement of origin or an existing certificate of title on a motor
19 vehicle is unavailable, a motor vehicle dealer licensed under Article 12 of this Chapter may also
20 transfer title to a vehicle currently titled in this State to another by certifying in writing in a sworn
21 statement to the Division ~~that~~ signed by the dealer principal, general manager, general sales
22 manager, controller, or owner of the dealership, that, to the best of the signatory's knowledge and
23 information as of the date of sworn certification, all prior perfected liens on the vehicle that are
24 known or reasonably ascertainable by the signatory have been paid and that the motor vehicle
25 dealer, despite having used reasonable diligence, is unable to obtain the vehicle's statement of
26 origin or certificate of title. For purposes of this subsection, a dealer may certify that the dealer
27 is unable to obtain the vehicle's statement of origin or certificate of title because the statement of
28 origin or certificate of title was either (i) not delivered to the dealer or (ii) lost or misplaced. The
29 Division is authorized to require any information it deems necessary for the transfer of the vehicle
30 and shall develop a form for this purpose. The knowing and intentional filing of a false sworn
31 certification with the Division pursuant to this subsection shall constitute a Class H felony. A
32 dealer principal, owner, or manager who is not a signatory of the sworn certification under this
33 subsection may only be charged for a criminal violation for filing a false certification under this
34 subsection by another dealership employee if the dealer principal, owner, or manager had actual
35 knowledge of the falsity of the sworn certification at the time the sworn certification was



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1 submitted to the Division. The dealer shall hold harmless and indemnify the consumer-purchaser
2 from any damages arising from the use of the procedure authorized by this subsection. No person
3 shall have a cause of action against the Division arising from the transfer of a vehicle by a sworn
4 certification pursuant to this section."

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

6 "(b) ~~When-If~~ a manufacturer's statement of origin or an existing certificate of title on a
7 motor vehicle is ~~unavailable~~, was (i) not delivered to the dealer or (ii) was lost or misplaced on or
8 prior to the date the dealer sells or transfers the motor vehicle, a first lienholder who holds a valid
9 license as a motor vehicle dealer issued by the Commissioner under Article 12 of this Chapter or
10 his designee may file a notarized copy of an instrument creating and evidencing a security interest
11 in the motor vehicle with the Division of Motor Vehicles. A filing pursuant to this subsection
12 shall constitute constructive notice to all persons of the security interest in the motor vehicle
13 described in the filing. The constructive notice shall be effective ~~from the date of the filing on~~
14 the date of the security agreement if the filing is made within 20 days after the date of the security
15 agreement. The constructive notice shall date from the date of the filing with the Division if it is
16 made more than 20 days after the date of the security agreement. The notation of a security
17 interest created under this subsection shall automatically expire 60 days after the date of the
18 creation of the security interest, or upon perfection of the security interest as provided in
19 subsection (a) of this section, whichever occurs first. A security interest notation made under this
20 subsection and then later perfected under subsection (a) of this section shall be presumed to have
21 been perfected on the date of the earlier filing. The Division may charge a fee not to exceed ten
22 dollars (\$10.00) for each notation of security interest filed pursuant to this subsection. The fee
23 shall be credited to the Highway Fund. ~~A false filing with the Division pursuant to this subsection~~
24 shall constitute a Class H felony. It shall constitute a Class H felony for a person to knowingly
25 and intentionally file a false notice with the Division pursuant to this subsection. A dealer
26 principal, owner, or manager of a motor vehicle dealership who is not a signatory of the notice
27 required under this subsection may only be charged for a criminal violation for filing a false
28 notice with the Division under this subsection by another dealership employee if the dealer
29 principal, owner, or manager had actual knowledge of the falsity of the filing at the time the filing
30 was submitted to the Division."

31 **SECTION 2.(c)** G.S. 20-72(b) reads as rewritten:

32 "(b) In order to assign or transfer title or interest in any motor vehicle registered under the
33 provisions of this Article, the owner shall execute in the presence of a person authorized to
34 administer oaths an assignment and warranty of title on the reverse of the certificate of title in
35 form approved by the Division, including in such assignment the name and address of the
36 transferee; and no title to any motor vehicle shall pass or vest until such assignment is executed
37 and the motor vehicle delivered to the transferee. The provisions of this section shall not apply
38 to any foreclosure or repossession under a chattel mortgage or conditional sales contract or any
39 judicial sale. The provisions of this subsection shall not apply to (i) any transfer to an insurer
40 pursuant to G.S. 20-109.1(b)(2) or (ii) any transfer to a used motor vehicle dealer pursuant to
41 G.S. 20-109.1(e1).

42 When a manufacturer's statement of origin or an existing certificate of title on a motor vehicle
43 is unavailable, a motor vehicle dealer licensed under Article 12 of this Chapter may also transfer
44 title to a vehicle currently titled in this State to another by certifying in writing in a sworn
45 statement to the Division that is signed by the dealer principal, general manager, general sales
46 manager, controller, or owner of the dealership, that, to the best of the signatory's knowledge and
47 information as of the date of the sworn certification, all prior perfected liens on the vehicle that
48 are known or reasonably ascertainable by the signatory have been paid and that the motor vehicle
49 dealer, despite having used reasonable diligence, is-was unable to obtain the vehicle's statement
50 of origin or certificate of title. For purposes of this subsection, a dealer may certify that the dealer
51 is unable to obtain the vehicle's statement of origin or certificate of title if the statement of origin

1 or certificate of title has either (i) not been delivered to the dealer or (ii) has been lost or
2 misplaced. The Division is authorized to request any information it deems necessary to transfer
3 the vehicle and shall develop a form for this purpose. ~~The filing of a false sworn certification~~
4 ~~with the Division pursuant to this paragraph.~~ The knowing and intentional filing of a false sworn
5 certification with the Division pursuant to this subsection shall constitute a Class H felony. A
6 dealer principal, owner, or manager of a motor vehicle dealership who is not a signatory of the
7 sworn certification required under this subsection may only be charged for a criminal violation
8 for filing a false certification under this subsection by another dealership employee if the dealer
9 principal, owner, or manager had actual knowledge of the falsity of the sworn certification at the
10 time the sworn certification was submitted to the Division.

11 Any person transferring title or interest in a motor vehicle shall deliver the certificate of title
12 duly assigned in accordance with the foregoing provision to the transferee at the time of
13 delivering the vehicle, except when a certificate of title is unavailable as provided in this
14 subsection or in G.S. 20-72.1, and except that where a security interest is obtained in the motor
15 vehicle from the transferee in payment of the purchase price or otherwise, the transferor shall
16 deliver the certificate of title to the lienholder and the lienholder shall forward the certificate of
17 title together with the transferee's application for new title and necessary fees to the Division
18 within 20 days. If the title to a vehicle is unavailable and the dealer transfers the vehicle on a
19 sworn certification pursuant to this section or G.S. 20-52.1, and the title is subsequently received
20 or found by the dealer, the dealer shall retain a copy for its records and submit the title to the
21 Division. Any person who delivers or accepts a certificate of title assigned in blank shall be guilty
22 of a Class 2 misdemeanor. No person shall have a cause of action against the Division arising
23 from the transfer of a vehicle by a sworn certification pursuant to this section.

24 The title to a salvage vehicle shall be forwarded to the Division as provided in G.S. 20-109.1,
25 except with respect to the title of any salvage vehicle transferred pursuant to G.S. 20-109.1(b)(2)
26 or G.S. 20-109.1(e1)."

27 **SECTION 2.(d)** Part 4 of Article 3 of Chapter 20 of the General Statutes is amended
28 by adding a new section to read:

29 **"§ 20-72.1. Transfer by owner when a certificate of title is unavailable; consumer remedies.**

30 (a) Notwithstanding any other provision in this Article, when a manufacturer's statement
31 of origin or an existing certificate of title on a motor vehicle is unavailable, a motor vehicle dealer
32 licensed under Article 12 of this Chapter shall deliver the manufacturer's statement of origin or
33 certificate of title to the Division within 20 days of receipt of the title, but no later than 60 days
34 following the later of the date of the sale or transfer of the vehicle or the date of the creation of a
35 security interest in the vehicle pursuant to G.S. 20-58(b). The dealer may offer the vehicle for
36 sale provided that the purchaser is given written notice prior to sale that the dealer is not in
37 possession of the manufacturer's statement of origin or certificate of title and that the purchaser
38 may be entitled to liquidated damages pursuant to subsection (b) of this section if the dealer fails
39 to deliver the manufacturer's statement of origin or certificate of title to the Division in
40 accordance with this subsection. For purposes of this subsection, a vehicle's manufacturer's
41 statement of origin or existing certificate of title shall be considered unavailable under either of
42 the following circumstances:

43 (1) The manufacturer's statement of origin or certificate of title has not been
44 actually delivered to the dealer on or prior to the date the dealer sold or
45 transferred the vehicle.

46 (2) The manufacturer's statement of origin or certificate of title was lost or
47 misplaced on or prior to the date the dealer sold or transferred the vehicle. If
48 the motor vehicle being sold or transferred is a used motor vehicle, the dealer
49 is required to make application to the Division for a duplicate title within five
50 working days of the date of the sale or transfer of the vehicle. If the vehicle
51 being sold or transferred is a new motor vehicle, the dealer is required to

1 request a new or duplicate manufacturer's statement of origin from the
2 applicable manufacturer or distributor within five working days of the date of
3 the sale or transfer of the vehicle.

4 (b) In any case where a dealer fails to deliver the manufacturer's statement of origin or
5 certificate of title to the Division within the 60-day time period allowed in subsection (a) of this
6 section, the vehicle purchaser may elect to receive liquidated damages from the dealer in the
7 amount of five percent (5%) of the vehicle purchase price, not to exceed one thousand dollars
8 (\$1,000), provided that the dealer receives written demand for liquidated damages from the
9 purchaser within 10 days after the expiration of the 60-day period provided in subsection (a) of
10 this section. The liquidated damages provided in this subsection shall be payable by the dealer
11 within 30 days after the receipt of the purchaser's written demand. Nothing in this section shall
12 be construed to limit any other civil remedies or consumer protections available to the vehicle
13 purchaser."

14 **SECTION 2.(e)** G.S. 20-79.1(h) reads as rewritten:

15 "(h) Temporary registration plates or markers shall expire and become void upon the
16 receipt of the limited registration plates or the annual registration plates from the Division, or
17 upon the rescission of a contract to purchase a motor vehicle, or upon the expiration of 30 days
18 from the date of issuance, depending upon whichever event shall first occur. No refund or credit
19 or fees paid by dealers to the Division for temporary registration plates or markers shall be
20 allowed, except in the event that the Division discontinues the issuance of temporary registration
21 plates or markers or unless the dealer discontinues business. In this event the unissued registration
22 plates or markers with the unissued registration certificates shall be returned to the Division and
23 the dealer may petition for a refund. Upon the expiration of the 30 days from the date of issuance,
24 a second 30-day temporary registration plate or marker may be issued by the dealer upon showing
25 the vehicle has been sold, a temporary lien has been filed as provided in G.S. 20-58, and that the
26 dealer, having used reasonable diligence, is unable to obtain the vehicle's statement of origin or
27 certificate of title so that the lien may be perfected. For purposes of this subsection, a dealer shall
28 be considered unable to obtain the vehicle's statement of origin or certificate of title if the
29 statement of origin or certificate of title either (i) has not been delivered to the dealer or (ii) was
30 lost or misplaced."

31 **SECTION 2.(f)** The Division of Motor Vehicles, in consultation with the North
32 Carolina Automobile Dealers Association, Inc., shall study the following:

- 33 (1) The impacts of this section on Division processes and procedures, along with
34 recommended statutory changes to further improve the lawful transfer of
35 motor vehicles.
- 36 (2) Methods to ensure consumer protection in the motor vehicle transfer process.
- 37 (3) Potential changes to the Division's electronic lien and title program or other
38 processes that could assist with reducing the delay in the release of a satisfied
39 security interest in a motor vehicle.
- 40 (4) Any other issues the Division deems appropriate.

41 The Division shall report its findings, including any legislative recommendations, to
42 the Joint Legislative Transportation Oversight Committee by December 31, 2020.

43 **SECTION 2.(g)** Subsection 2(f) of this section is effective when it becomes law.
44 The remainder of this section becomes effective January 1, 2019.

45 **SECTION 3.(a)** G.S. 20-79.02(g) reads as rewritten:

46 "(g) Applicability. – Prior to January 1, ~~2019, 2021~~, a new motor vehicle dealer may, but
47 is not required to, display an LD license plate on a service loaner vehicle. Beginning on or after
48 January 1, ~~2019, 2021~~, a new motor vehicle dealer shall display an LD license plate on any new
49 motor vehicle placed into service as a loaner vehicle if either of the following circumstances
50 exists:

1 (1) The new motor vehicle dealer is receiving incentive or warranty compensation
2 from a manufacturer, factory branch, distributor, or distributor branch for the
3 use of the vehicle as a service loaner.

4 (2) The new motor vehicle dealer is receiving a fee or other compensation from
5 the dealer's customers for the use of the vehicle as a service loaner."

6 **SECTION 3.(b)** Section 1.1(b) of S.L. 2015-232 reads as rewritten:

7 "**SECTION 1.1.(b)** This section is effective when this act becomes law and expires
8 December 31, ~~2018~~2020."

9 **SECTION 3.(c)** Section 1.4(b) of S.L. 2015-232 reads as rewritten:

10 "**SECTION 1.4.(b)** This section is effective when this act becomes law and expires
11 December 31, ~~2018~~2020."

12 **SECTION 4.** G.S. 20-79.1(d) reads as rewritten:

13 "(d) A dealer shall:

14 (1) Not issue, assign, transfer, or deliver temporary registration plates or markers
15 to anyone other than a bona fide purchaser or owner of a vehicle which he has
16 sold.

17 (2) Not issue a temporary registration plate or marker without first obtaining from
18 the purchaser or owner a written application for titling and registration of the
19 vehicle and the applicable fees.

20 (3) ~~Within 10 working days,~~20 days of the issuance of a temporary registration
21 plate or marker, mail or deliver the application and fees to the Division or
22 deliver the application and fees to a local license agency for processing.
23 Delivery need not be made if the contract for sale has been rescinded ~~in writing~~
24 by all parties to the contract.

25 (4) Not deliver a temporary registration plate to anyone purchasing a vehicle that
26 has an unexpired registration plate that is to be transferred to the purchaser.

27 (5) Not lend to anyone, or use on any vehicle that he may own, any temporary
28 registration plates or markers.

29 A dealer may issue temporary markers, without obtaining the written application for titling
30 and registration or collecting the applicable fees, to nonresidents for the purpose of removing the
31 vehicle from the State."

32 **SECTION 5.** G.S. 20-183.4C(a)(1) reads as rewritten:

33 "(1) A new vehicle must be inspected before it is ~~sold~~delivered to a purchaser at
34 retail in this State. Upon purchase, a receipt approved by the Division must be
35 provided to the new owner certifying compliance."

36 **SECTION 6.** G.S. 105-562 reads as rewritten:

37 "**§ 105-562. Collection and scope.**

38 (a) Collection. – A tax or a tax increase levied under this Article becomes effective on
39 the date set by the board of trustees in the resolution levying the tax or the tax increase. The
40 effective date must be the first day of a month and may not be earlier than the first day of the
41 sixth calendar month after the board of trustees adopts the resolution. To the extent the tax applies
42 to vehicles whose tax situs is in a county the entire area of which is within the jurisdiction of the
43 Authority, the Division of Motor Vehicles shall collect and administer the tax. To the extent the
44 tax applies to vehicles whose tax situs is in a county that is only partially within the jurisdiction
45 of the county, the Authority shall collect and administer the tax. The Authority may contract with
46 one or more local governments in its jurisdiction to collect the tax on its behalf.

47 Upon receipt of the resolutions under G.S. 105-561, the Division of Motor Vehicles shall
48 proceed to collect and administer the tax as provided in this Article. The tax is due at the same
49 time and subject to the same restrictions as in G.S. 20-87(1), (2), (4), (5), (6), and (7) and
50 G.S. 20-88. The Division of Motor Vehicles may adopt rules to carry out its responsibilities under
51 this Article.

1 (b) Scope. – Only vehicles required to pay a tax under G.S. 20-87(1), (2), (4), (5), (6),
2 and (7) and G.S. 20-88 shall be subject to the tax provided by this Article. Taxes shall be prorated
3 in accordance with G.S. 20-95.

4 (c) Tax Situs. – The tax situs of a motor vehicle for the purpose of this Article is its ad
5 valorem tax situs. If the vehicle is exempt from ad valorem tax, its tax situs for the purpose of
6 this Article is the ad valorem tax situs it would have if it were not exempt from ad valorem tax.

7 (d) Any tax or tax increase levied under this Article applicable to a motor vehicle sold or
8 leased by a motor vehicle dealer, as defined in G.S. 20-286(11), is only applicable to a motor
9 vehicle sale or lease made on or after the effective date of the tax or tax increase regardless of
10 the date of submission of a title and registration application for the motor vehicle to the Division
11 of Motor Vehicles. No tax or tax increase levied under this Article applies to a motor vehicle sale
12 or lease made prior to the effective date of the tax or tax increase."

13 **SECTION 7.** G.S. 105-570 reads as rewritten:

14 "**§ 105-570. County Vehicle Registration Tax; shared with municipalities.**

15 (a) A county is considered an authority under Article 51 of this Chapter, and the board of
16 commissioners of that county is considered the board of trustees of the authority under Article
17 51, except that the maximum tax that may be levied by a county under this Article is seven dollars
18 (\$7.00) per year.

19 (b) A county may not levy a tax under this Article unless the county or at least one unit
20 of local government in the county operates a public transportation system.

21 (c) Any tax levied under this Article shall, after the receipt of those funds from the
22 Division of Motor Vehicles, be retained or distributed by the county on a per capita basis as it
23 receives those funds as follows:

24 (1) Pro rata (i) retained by the county based on the population of the county that
25 is not in an incorporated area, and (ii) distributed to the municipalities within
26 the county based on the population of that municipality that is located within
27 that county. To determine the population of each county and municipality, the
28 county shall use the most recent annual estimate of population certified by the
29 State Budget Officer.

30 (2) Notwithstanding subdivision (1) of this subsection, if a municipality to which
31 funds are to be distributed does not operate a public transportation system, the
32 population of that municipality shall be excluded from the calculations of
33 subdivision (1) of this subsection and no distribution shall be made to that
34 municipality.

35 (3) Notwithstanding subdivision (1) of this subsection, if a county for which funds
36 are to be retained does not operate a public transportation system, the
37 population of that county not in an incorporated area shall be excluded from
38 the calculations of subdivision (1) of this subsection, and the county shall not
39 retain any funds.

40 If a county that does not retain funds or a municipality that does not receive an allocation of
41 funds on account of subdivision (2) or (3) of this subsection begins to operate a public
42 transportation system, that county or municipality shall begin retaining or receiving funds
43 beginning the first day of July that is more than 30 days thereafter.

44 (d) The proceeds of a tax imposed under this Article may be used by that county or
45 municipality only to operate a public transportation system, including financing, constructing,
46 operating, and maintaining that public transportation system. The term "public transportation
47 system" has the same meaning as defined in G.S. 105-506.1.

48 (e) As used in this section, operation of a public transportation system includes a contract
49 or interlocal agreement for operation of the public transportation system by another county or
50 municipality, or by a transportation authority created under (i) a municipal charter; or (ii) Article
51 25, 26, or 27 of Chapter 160A of the General Statutes. As used in this section, operation of a

1 public transportation system also includes a contract with a private entity for operation of the
2 public transportation system.

3 (f) An interlocal agreement under this section may also deal with allocation of funds
4 between a municipality and county for operation by the county of a human services public
5 transportation system within the municipality when the municipality also operates a public
6 transportation system.

7 (g) This Article is supplemental to Article 51 of this Chapter.

8 (h) Any tax or tax increase levied under this Article applicable to a motor vehicle sold or
9 leased by a motor vehicle dealer, as defined in G.S. 20-286(11), is only applicable to a motor
10 vehicle sale or lease made on or after the effective date of the tax or tax increase regardless of
11 the date of submission of a title and registration application for the motor vehicle to the Division
12 of Motor Vehicles. No tax or tax increase levied under this Article applies to a motor vehicle sale
13 or lease made prior to the effective date of the tax or tax increase."

14 **SECTION 8.** G.S. 20-4.02 reads as rewritten:

15 **"§ 20-4.02. Quadrennial adjustment of certain fees and rates.**

16 (a) Adjustment for Inflation. – Beginning July 1, 2020, and every four years thereafter,
17 the Division shall adjust the fees and rates imposed pursuant to the statutes listed in this
18 subsection for inflation in accordance with the Consumer Price Index computed by the Bureau
19 of Labor Statistics. The adjustment for per transaction rates in subdivision (8a) of this subsection
20 shall be rounded to the nearest cent and all other adjustments under this subsection shall be
21 rounded to the nearest twenty-five cents (25¢):

22 (1) G.S. 20-7.

23 (2) G.S. 20-11.

24 (3) G.S. 20-14.

25 (4) G.S. 20-16.

26 (5) G.S. 20-26.

27 (6) G.S. 20-37.15.

28 (7) G.S. 20-37.16.

29 (8) G.S. 20-42(b).

30 (8a) G.S. 20-63(h), with respect to the per transaction rates set in that subsection.

31 (9) G.S. 20-85(a)(1) through (10).

32 (10) G.S. 20-85.1.

33 (11) G.S. 20-87, except for the additional fee set forth in G.S. 20-87(6) for private
34 motorcycles.

35 (12) G.S. 20-88.

36 (13) G.S. 20-289.

37 (14) G.S. 20-385.

38 (15) G.S. 44A-4(b)(1).

39 (b) Computation. – In determining the rate of inflation to use when making an adjustment
40 pursuant to subsection (a) of this section, the Division shall base the rate on the percent change
41 in the annual Consumer Price Index over the preceding four-year period.

42 (c) Rules. – The provisions of Chapter 150B of the General Statutes shall not apply to
43 the inflation adjustment required by this section.

44 (d) Consultation and Publication. – At least 90 days prior to making an adjustment
45 pursuant to subsection (a) of this section, and notwithstanding any provision of G.S. 12-3.1 to
46 the contrary, the Division shall (i) consult with the Joint Legislative Commission on
47 Governmental Operations, (ii) provide a report to the chairs of the Senate Appropriations
48 Committee on Department of Transportation and the House of Representatives Appropriations
49 Committee on Transportation, and (iii) publish notice of the fees that will be in effect in the
50 offices of the Division and on the Division's Web site.

1 (e) Effective Date. – Any adjustment to fees or rates under this section applicable to a
2 motor vehicle sold or leased by a motor vehicle dealer, as defined in G.S. 20-286(11), is only
3 applicable to a motor vehicle sale or lease made on or after the effective date of the fee or rate
4 adjustment regardless of the date of submission of a title and registration application for the motor
5 vehicle to the Division. No adjustment to fees or rates under this section applies to a motor vehicle
6 sale or lease made prior to the effective date of the fee or rate adjustment."

7 **SECTION 9.** Sections 6 and 7 of this act are effective when they become law and
8 apply to any tax or tax increase with an effective date on or after that date. Except as otherwise
9 provided, the remainder of this act is effective when it becomes law.