

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019

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HOUSE BILL 449  
Committee Substitute Favorable 4/3/19  
Senate Finance Committee Substitute Adopted 7/8/19  
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Proposed Conference Committee Substitute H449-PCCS10704-SU-7

Short Title: Handicapped & Special Registration Plates.

(Public)

Sponsors:

Referred to:

March 26, 2019

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE ISSUANCE OF HANDICAPPED LICENSE PLATES TO A REGISTERED VEHICLE OWNER THAT IS THE GUARDIAN OR PARENT OF A HANDICAPPED PERSON AND TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE VARIOUS SPECIAL REGISTRATION PLATES.

The General Assembly of North Carolina enacts:

**SECTION 1.(a)** G.S. 20-37.5 reads as rewritten:

"§ 20-37.5. **Definitions.**

...

(1a) Guardian. – Any of the following:

- a. Custodian. – As defined in G.S. 7B-101(8).
- b. General guardian. – As defined in G.S. 35A-1202(7).
- c. Guardian of the person. – As defined in G.S. 35A-1202(10).

...."

**SECTION 1.(b)** G.S. 20-37.6 reads as rewritten:

"§ 20-37.6. **Parking privileges for handicapped drivers and passengers.**

...

(b) ~~Handicapped Car Owners; Distinguishing License Plates.~~ – If the ~~handicapped person is a~~ registered owner of a ~~vehicle,~~ vehicle is handicapped or the registered owner certifies that the registered owner is the guardian or parent of a handicapped person, the registered owner may apply for and display a distinguishing license plate. This license plate shall be issued for the normal fee applicable to standard license plates. Any vehicle owner who qualifies for a distinguishing license plate shall be notified by the Division at the time the plate is issued that the applicant is also eligible to receive one removable windshield placard and, upon request, shall be issued a placard at that time. A vehicle with a distinguishing license plate may be lawfully used when a handicapped person is not a driver or passenger so long as the vehicle is not using handicapped privileges including parking in a space designated with a sign pursuant to subsection (d) of this section.

(c) ~~Handicapped Drivers and Passengers; Distinguishing Placards.~~ – A handicapped person may apply for the issuance of a removable windshield placard or a temporary removable windshield placard. Upon request, one additional placard may be issued to applicants who do not have a distinguishing license plate. Any organization which, as determined and certified by the State Vocational Rehabilitation Agency, regularly transports handicapped persons may also



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1 apply. These organizations may receive one removable windshield placard for each transporting  
 2 vehicle. When the removable windshield or temporary removable windshield placard is properly  
 3 displayed, all parking rights and privileges extended to vehicles displaying a distinguishing  
 4 license plate issued pursuant to subsection (b) shall apply. The removable windshield placard or  
 5 the temporary removable windshield placard shall be displayed so that it may be viewed from  
 6 the front and rear of the vehicle by hanging it from the front windshield rearview mirror of a  
 7 vehicle using a parking space allowed for handicapped persons. When there is no inside rearview  
 8 mirror, or when the placard cannot reasonably be hung from the rearview mirror by the  
 9 handicapped person, the placard shall be displayed on the driver's side of the dashboard. A  
 10 removable windshield placard placed on a motorized wheelchair or similar vehicle shall be  
 11 displayed in a clearly visible location. The Division shall establish procedures for the issuance  
 12 of the placards and may charge a fee sufficient to pay the actual cost of issuance, but in no event  
 13 less than five dollars (\$5.00) per placard. The Division shall issue a placard registration card with  
 14 each placard issued to a handicapped person. The registration card shall bear the name of the  
 15 person to whom the placard is issued, the person's address, the placard number, and an expiration  
 16 date. The registration card shall be in the vehicle in which the placard is being used, and the  
 17 person to whom the placard is issued shall be the operator or a passenger in the vehicle in which  
 18 the placard is displayed.

19 (c1) Application and Renewal; Medical Certification. – The initial application for a  
 20 distinguishing license plate, removable windshield placard, or temporary removable windshield  
 21 placard shall be accompanied by a certification of a licensed physician, a licensed  
 22 ophthalmologist, a licensed optometrist, a licensed physician assistant, a licensed nurse  
 23 practitioner, or the Division of Services for the Blind that the applicant or person in the applicant's  
 24 custody or care is handicapped or by a disability determination by the United States Department  
 25 of Veterans Affairs that the applicant or person in the applicant's custody or care is handicapped.  
 26 For an initial application for a temporary removable windshield placard only, the certification  
 27 that the applicant is handicapped may be made by a licensed certified nurse midwife. The  
 28 application for a temporary removable windshield placard shall contain additional certification  
 29 to include the period of time the certifying authority determines the applicant will have the  
 30 disability. Distinguishing license plates shall be renewed annually, but subsequent applications  
 31 shall not require a medical certification that the applicant is ~~handicapped~~ handicapped, except  
 32 that a registered owner that certified pursuant to subsection (b) of this section that the registered  
 33 owner is the guardian or parent of a handicapped person must recertify every five years.  
 34 Removable windshield placards shall be renewed every five years, and, except for a person  
 35 certified as totally and permanently disabled at the time of the initial application or a prior  
 36 renewal under this subsection, the renewal shall require a medical recertification that the person  
 37 is handicapped; provided that a medical certification shall not be required to renew any placard  
 38 that expires after the person to whom it is issued is 80 years of age. Temporary removable  
 39 windshield placards shall expire no later than six months after issuance.

40 ...."

41 **SECTION 2.(a)** G.S. 20-63(b1) is amended by adding two new subdivisions to read:

42 "(Q) Keeping The Lights On.

43 (Q) POW/MIA Bring Them Home."

44 **SECTION 2.(b)** G.S. 20-79.4(b) reads as rewritten:

45 "(b) Types. – The Division shall issue the following types of special registration plates:

46 ...

47 (Q) ALS Research. – Issuable to a registered owner of a motor vehicle in  
 48 accordance with G.S. 20-81.12. The plate shall bear a picture of a baseball and  
 49 the phrase "Cure ALS."

50 ...

( ) Keeping The Lights On. – Issuable to a registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall have a background of mountains to the coast and bear a picture of a line worker on a utility pole on the left and the phrase "Keeping The Lights On" at the top of the registration plate.

...  
 ( ) POW/MIA Bring Them Home. – The plate shall have the phrase "POW/MIA Bring Them Home" with artwork submitted by Rolling Thunder, Inc., Chapter #1 North Carolina and reviewed by the Division to ensure compliance with G.S. 20-79.4(a3). A person may obtain from the Division a special registration plate under this subdivision for the registered owner of a motor vehicle or a motorcycle. The division may not issue a plate authorized under this subdivision until it receives at least 350 applications for the plate. Applications for motor vehicle special registration plates and motorcycle special registration plates received by the Division each count towards the minimum number of applications necessary to issue a plate under this subdivision.

...  
 ( ) Wrightsville Beach. – Issuable to a registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the Town of Wrightsville Beach logo followed by the four assigned or personalized characters ending with the suffix WB.

...."

**SECTION 2.(c)** G.S. 20-79.7 reads as rewritten:

**"§ 20-79.7. Fees for special registration plates and distribution of the fees.**

...  
 (a1) Fees. – All other special registration plates are subject to the regular motor vehicle registration fee in G.S. 20-87 or G.S. 20-88 plus an additional fee in the following amount:

<u>Special Plate</u>	<u>Additional Fee Amount</u>
Alpha Phi Alpha Fraternity	\$30.00
<u>ALS Research</u>	<u>\$30.00</u>
American Red Cross	\$30.00
...	
In God We Trust	\$30.00
<u>Keeping The Lights On</u>	<u>\$30.00</u>
Kick Cancer for Kids	\$30.00
...	
Piedmont Airlines	\$20.00
<u>POW/MIA Bring Them Home</u>	<u>\$20.00</u>
Prince Hall Mason	\$20.00
...	
USO of NC	Expired July 1, 2016
<u>Wrightsville Beach</u>	<u>\$20.00</u>
Zeta Phi Beta Sorority	\$20.00
...	

(b) Distribution of Fees. – The Special Registration Plate Account and the Collegiate and Cultural Attraction Plate Account are established within the Highway Fund. The Division must credit the additional fee imposed for the special registration plates listed in ~~subsection (a)~~ subsection (a1) of this section among the Special Registration Plate Account (SRPA), the Collegiate and Cultural Attraction Plate Account (CCAPA), the Clean Water Management Trust

Fund (CWMTF), which is established under G.S. 113A-253, and the Parks and Recreation Trust Fund, which is established under G.S. 113-44.15, as follows:

	<u>Special Plate</u>	<u>SRPA</u>	<u>CCAPA</u>	<u>CWMTF</u>	<u>PRTF</u>
...					
ALS Association, Jim "Catfish" Hunter Chapter – Expired July 1, 2016					
<u>ALS Research</u>		\$10	\$20	0	0
American Red Cross – Expired July 1, 2016					
...					
Kappa Alpha Order – Expired July 1, 2016					
<u>Keeping The Lights On</u>		\$10	\$20	0	0
Kick Cancer for Kids		\$10	\$20	0	0
...					
Pisgah Conservancy		\$10	\$20	0	0
<u>POW/MIA Bring Them Home</u>		\$10	\$10	0	0
Prince Hall Mason		\$10	\$10	0	0
...					
Wildlife Resources		\$10	\$20	0	0
<u>Wrightsville Beach</u>		\$10	\$10	0	0
YMCA – Expired July 1, 2016					
...."					

**SECTION 2.(d)** G.S. 20-81.12 is amended by adding the following new subsections to read:

"() ALS Research. – The Division shall transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of ALS Research plates to The ALS Association of North Carolina Chapter to support ALS research.

() Keeping The Lights On. – The Division shall transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of Keeping The Lights On plates to the UNC Jaycee Burn Center.

() POW/MIA Bring Them Home. – The Division shall transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of POW/MIA Bring Them Home plates to Rolling Thunder, Inc., Chapter #1 North Carolina.

() Wrightsville Beach. – The Division shall transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of Wrightsville Beach plates to the Town of Wrightsville Beach to help fund the Town's continuing efforts to maintain and improve recreational opportunities for residents and visitors of Wrightsville Beach."

**SECTION 2.(e)** The Revisor of Statutes is authorized to alphabetize, number, and renumber the special registration plates listed in G.S. 20-63(b1), 20-79.4(b), and 20-81.12 to ensure that all the special registration plates are listed in alphabetical order and numbered accordingly.

**SECTION 2.(f)** The POW/MIA Bring Them Home plate authorized by this section is not subject to the requirements to establish a new special registration plate in G.S. 20-79.3A and the expiration of special registration plate authorization in G.S. 20-79.8.

**SECTION 3.** This act becomes effective March 1, 2020.