

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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SENATE BILL DRS35032-NE-2

Short Title: Board of Motor Vehicles/Authority Study. (Public)

Sponsors: Senators Rabon, Sawyer, and Lazzara (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ESTABLISH THE BOARD OF MOTOR VEHICLES AND TO STUDY THE
3 CREATION OF THE MOTOR VEHICLE AUTHORITY.
4 The General Assembly of North Carolina enacts:

5
6 **PART I. ESTABLISH BOARD OF MOTOR VEHICLES**

7 **SECTION 1.(a)** G.S. 20-2(a) reads as rewritten:

8 "(a) Commissioner and Assistants. – The Division of Motor Vehicles shall be
9 administered by the Commissioner of Motor Vehicles, who shall be appointed by and serve at
10 the pleasure of the ~~Secretary of the Department of Transportation~~ Board of Motor Vehicles. The
11 Commissioner shall be paid an annual salary to be fixed by the Governor and allowed traveling
12 expenses as allowed by law.

13 In any action, proceeding, or matter of any kind, to which the Commissioner of Motor
14 Vehicles is a party or in which he may have an interest, all pleadings, legal notices, proof of
15 claim, warrants for collection, certificates of tax liability, executions, and other legal documents,
16 may be signed and verified on behalf of the Commissioner of Motor Vehicles by the Assistant
17 Commissioner of Motor Vehicles or by any director or assistant director of any section of the
18 Division of Motor Vehicles or by any other agent or employee of the Division so authorized by
19 the Commissioner of Motor Vehicles."

20 **SECTION 1.(b)** Article 1 of Chapter 20 of the General Statutes is amended by
21 adding a new section to read:

22 **"§ 20-2.1. Board of Motor Vehicles.**

23 (a) There is hereby created a Board of Motor Vehicles. The Board is responsible for
24 appointing the Commissioner of Motor Vehicles and overseeing the organization and
25 administration of the Division of Motor Vehicles by the Commissioner.

26 (b) The Board consists of nine voting members as follows:

27 (1) The Secretary of Transportation or the Secretary's designee.

28 (2) The Secretary of the Department of Information Technology or the Secretary's
29 designee.

30 (3) The Commander of the State Highway Patrol or the Commander's designee.

31 (4) Two members appointed by the Governor.

32 (5) Two members appointed by the General Assembly upon recommendation of
33 the President Pro Tempore of the Senate.

34 (6) Two members appointed by the General Assembly upon recommendation of
35 the Speaker of the House of Representatives.



1 (c) The terms of one member of the Board each appointed under subdivisions (4), (5),
2 and (6) of subsection (b) of this section shall begin on July 1, 2025, and expire on June 30, 2027.
3 The terms of one member of the Board each appointed under subdivisions (4), (5), and (6) of
4 subsection (b) of this section shall begin on July 1, 2025, and expire on June 30, 2029. Thereafter,
5 all Board members appointed under subdivisions (4) through (6) of subsection (b) of this section
6 shall be appointed for four-year terms beginning on July 1 of the year that the previous term
7 expired.

8 (d) Board members appointed under subdivisions (4) through (6) of subsection (b) of this
9 section shall continue to serve until their successors are appointed. The appointing authority may
10 appoint a member to serve out the unexpired term of a Board member appointed by that
11 appointing authority. The appointing authority may remove a member of the Board appointed by
12 that appointing authority for any cause the appointing authority finds sufficient.

13 (e) The Board shall meet at least quarterly and may meet at any time at the call of the
14 chairperson or any three members of the Board. All clerical and other services required by the
15 Board shall be supplied by the Secretary of the Department of Transportation.

16 (f) The Board shall select a chairperson and may select other officers from among its
17 membership. The Board shall have the power to adopt and enforce rules and regulations for the
18 government of its business and proceedings. A majority of the Board shall constitute a quorum
19 for the transaction of business. Board members shall receive per diem and necessary travel and
20 subsistence expenses in accordance with G.S. 138-5 and G.S. 138-6, as appropriate."

21 **SECTION 1.(c)** G.S. 20-3 reads as rewritten:

22 "**§ 20-3. Organization of Division.**

23 The Commissioner, subject to the approval of the Secretary of the Department of
24 Transportation, shall organize and administer the Division in such manner as ~~he~~the
25 Commissioner may deem necessary to conduct the work of the Division."
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27 **PART II. STUDY CREATION OF MOTOR VEHICLE AUTHORITY**

28 **SECTION 2.(a)** It is the intent of the General Assembly to consider the creation of
29 the Motor Vehicle Authority as a successor agency to the Division of Motor Vehicles of the
30 North Carolina Department of Transportation. The proposed Authority would assume the legal
31 authority currently exercised by the Division and, at minimum, meet all of the following criteria:

- 32 (1) Be composed of a nine-member board, with five members appointed by the
33 General Assembly and four members appointed by the Governor.
- 34 (2) Appoint a chair, vice-chair, secretary, and treasurer.
- 35 (3) Be responsible for (i) hiring the Commissioner of Motor Vehicles and (ii)
36 setting the Commissioner's salary.
- 37 (4) Have the authority to replace the Commissioner.

38 **SECTION 2.(b)** The Department of Transportation, in consultation with the
39 Department of Information Technology and the State Highway Patrol, shall study and provide a
40 plan for implementing the creation of the Motor Vehicle Authority described in subsection (a) of
41 this section. The study and plan shall address (i) the feasibility of creating the Authority, (ii) all
42 statutory changes necessary to create the Authority and transfer the Division's responsibilities to
43 the Authority, (iii) an estimated time line for the creation of the Authority as a successor agency,
44 including steps required to facilitate the succession, and (iv) any other issue deemed relevant to
45 the study and implementation plan.

46 **SECTION 2.(c)** The Department of Transportation shall report the findings of the
47 study required by this section, including the proposed implementation plan and any associated
48 legislative recommendations, to the North Carolina General Assembly, the chairs of the Joint
49 Legislative Transportation Oversight Committee, and the Fiscal Research Division no later than
50 January 1, 2026.
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1 **PART III. EFFECTIVE DATE**

2 **SECTION 3.** Part I of this act becomes effective July 1, 2025. The remainder of this
3 act is effective when it becomes law.