



FEDERAL REQUIREMENT CERTIFICATION

Authorized by G.S. 120-36.8

House Bill 199

DMV Proposed Legislative Changes - AB

Proposed Committee Substitute to Edition 1

Section 10

CONFORM ODOMETER DISCLOSURE REQUIREMENT WITH FEDERAL LAW

Bill Primary Sponsor(s):	Representatives B.Jones, Shepard, McNeely, Tyson	H199-CSSUf-3
Relevant Federal Law:	49 U.S.C. § 32705, 49 C.F.R. §580.17	
<input checked="" type="checkbox"/> Required by or Necessary for Compliance with Federal Law	<input type="checkbox"/> Exceeds Federal Law	
<input type="checkbox"/> Federal Funds Conditioned upon Passage of Law	<input type="checkbox"/> Implements Federal Law	

SUMMARY OF BILL PROVISIONS ALLEGEDLY REQUIRED BY FEDERAL LEGISLATION

Article 15 of Chapter 20 of the General Statutes (Vehicle Mileage Act) provides remedies under State law for persons injured by motor vehicle odometer alteration. Odometer disclosures are required by transferors of motor vehicles under State law in accordance with federal requirements. G.S. 20-347(d) lists exemptions from disclosure requirements and provides that disclosure is not required for vehicles that are 10 years old or older. Section 10 of the PCS for House Bill 199 would amend G.S. 20-347(d) to exempt 2010 and older model year vehicles from disclosure requirements and to exempt 2011 and newer model year vehicles from disclosure requirements after 20 years.

COMPLIANCE CONSIDERATIONS

49 U.S.C. § 32705 requires, under federal regulations prescribed by the U.S. Secretary of Transportation, disclosure of mileage registered on the odometer of a motor vehicle by the person transferring ownership. The implementing regulations for odometer disclosure requirements are found in Part 580 of Title 49 of the Code of Federal Regulations. 49 C.F.R. § 580.17 specifically sets out exemptions from these requirements. Prior to January 1, 2021, the regulation exempted vehicles that were at least 10 years old from odometer disclosure requirements. Effective January 1, 2021, the regulation exempts vehicles after 10 years if they are 2010 model year or older. However, for 2011 model year and newer vehicles, the exemption applies only after 20 years.

The provision in G.S. 20-347(d) that exempts all vehicles that are 10 years old or older from odometer disclosure requirements is no longer in compliance with federal requirements.

TECHNICAL OR MECHANICAL CONSIDERATIONS

None.



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REVIEW AND APPROVAL

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