

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

S

2

SENATE BILL 209  
House Committee Substitute Favorable 4/15/91

Short Title: Undercover MV Info. Confidential.

(Public)

Sponsors:

Referred to:

March 6, 1991

A BILL TO BE ENTITLED

AN ACT TO CLARIFY THE ISSUANCE OF FICTITIOUS DRIVERS LICENSES  
AND REGISTRATION PLATES AND TO CREATE A CONFIDENTIAL  
REGISTRATION FILE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-39(h) reads as rewritten:

"(h) The Commissioner, notwithstanding any other provision of this Chapter, may lawfully and to the extent necessary, provide local, State or federal law-enforcement officers on special undercover assignments with motor vehicle ~~operator's~~ drivers licenses and motor vehicle registration plates under assumed names using false or fictitious addresses. Such registration plates shall only be used on publicly owned or leased vehicles. Requests for these licenses and registration plates shall be made to the Commissioner by the head of the local, State or federal law-enforcement agency and ~~approved~~ be accompanied by approval in writing ~~by~~ from the Director of the State Bureau of Investigation upon a specific finding by the Director that the request is justified and necessary. The Director shall keep a record of all such licenses, registration plates, assumed names, false or fictitious addresses, and law-enforcement officers using the licenses or registration plates, and shall request the immediate return of any license or registration plate that is no longer necessary. Licenses and registration plates provided under this subsection shall expire six months after initial issuance or subsequent validation after the request for extension has been approved in writing by the Director of the State Bureau of Investigation. The head of the local, State or federal law-enforcement agency shall be responsible for the use of the licenses and registration

1 plates and shall return them immediately to the Commissioner for cancellation upon  
2 either (i) their expiration, (ii) request of the Director of the State Bureau of  
3 Investigation, or (iii) request of the Commissioner. Failure to return a license or  
4 registration plates issued pursuant to this subsection shall be punished as a general  
5 misdemeanor. At no time shall the number of valid licenses and registration plates  
6 issued under this act exceed one hundred, and those issued shall be strictly monitored by  
7 the Director. All of the private registration plates issued to special agents of the State  
8 Bureau of Investigation under the Department of Justice and to alcohol law enforcement  
9 agents under the Department of Crime Control and Public Safety, pursuant to G.S. 14-  
10 250, may be fictitious plates and shall not be counted in the total number of fictitious  
11 plates authorized by this subsection."

12 Sec. 2. G.S. 20-56 reads as rewritten:

13 **"§ 20-56. Registration indexes.**

14 (a) The Division shall file each application received, and when satisfied as to the  
15 genuineness and regularity thereof, and that the applicant is entitled to register such  
16 vehicle and to the issuance of a certificate of title, shall register the vehicle therein  
17 described and keep a record thereof as follows:

- 18 (1) Under a distinctive registration number assigned to the vehicle;
- 19 (2) Alphabetically, under the name of the owner;
- 20 (3) Under the motor number or any other identifying number of  
21 the vehicle; and
- 22 (4) In the discretion of the Division, in any other manner it may  
23 deem advisable.

24 (b) The Division shall maintain a separate registration file for vehicles  
25 bearing private tags which are owned or leased for use by individuals in the following  
26 categories:

- 27 (1) Members of federal, State, and local law enforcement agencies if the  
28 vehicles are used for the purpose of transporting, apprehending, or  
29 arresting persons charged with violations of the laws of the United  
30 States or the State of North Carolina;
- 31 (2) Agents for the Internal Revenue Service;
- 32 (3) Public officials.

33 Individuals in the aforementioned categories must provide satisfactory evidence to the  
34 Commissioner that their personal safety is at risk. This file shall be confidential for the  
35 use of the Division."

36 Sec. 3. This act is effective upon ratification.