

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

SENATE BILL 326
RATIFIED BILL

AN ACT TO CLARIFY THE APPLICATION OF THE HIGHWAY USE TAX TO OUT-OF-STATE VEHICLES TITLED IN THIS STATE, TO IMPROVE THE VEHICLE TITLING PROCESS BY ELIMINATING DUPLICATIVE REQUIREMENTS, AND TO DIRECT DMV TO TITLE AND REGISTER HIGH-MOBILITY MULTIPURPOSE VEHICLES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 105-187.6 is amended by adding a new subsection to read:

"(d) Exemption Limitation. – The full exemptions set out in subsection (a) of this section, except for those set out in subdivisions (1), (2), (9), and (10) of subsection (a) of this section, do not apply to a certificate of title issued for a motor vehicle titled in another state at the time of the transfer. The partial exemptions set out in subsection (b) of this section do not apply to a certificate of title issued for a motor vehicle titled in another state at the time of the transfer."

SECTION 2.(a) Subdivisions (4), (5), and (6) of subsection (a) of G.S. 20-52 are repealed.

SECTION 2.(b) G.S. 20-52(a) is amended by adding a new subdivision to read:

"(7) A statement that the owner has proof of financial responsibility, as required by Article 9A or Article 13 of this Chapter."

SECTION 2.(c) G.S. 58-2-164(b) reads as rewritten:

"(b) It shall be a Class 3 misdemeanor for any person who, with the intent to deceive an insurer, does any of the following:

- (1) Presents or causes to be presented a written or oral statement in support of an application for issuance of or amendment to a policy of auto ~~insurance or for vehicle registration pursuant to G.S. 20-52(a)(4) and (a)(5),~~ insurance, knowing that the application contains false or misleading information that states the applicant is an eligible risk when the applicant is not an eligible risk.
- (2) Assists, abets, solicits, or conspires with another person to prepare or make any written or oral statement that is intended to be presented to an insurer in connection with or in support of an application for issuance of or amendment to a policy of auto ~~insurance or for vehicle registration pursuant to G.S. 20-52(a)(4) and (a)(5),~~ insurance, if the person knows that the statement contains false or misleading information that states the applicant is an eligible risk when the applicant is not an eligible risk.

In addition to any other penalties authorized by law, a violation of this subsection may be punishable by a fine of not more than one thousand dollars (\$1,000) for each violation."

SECTION 2.1.(a) G.S. 20-4.01 is amended by adding a new subdivision to read:

"(12h) High-Mobility Multipurpose Wheeled Vehicle (HMMWV). – A four-wheel drive vehicle produced for military or government use and commonly referred to as a "HMMWV" or "Humvee"."



SECTION 2.1.(b) Part 3 of Article 3 of Chapter 20 of the General Statutes is amended by adding a new section to read:

"§ 20-53.5. Titling and registration of HMMWV.

(a) Registration and Certificate of Title. – The Division shall register and issue a certificate of title for an HMMWV if all of the following conditions are met:

- (1) The applicant for the title and registration of the HMMWV has provided to the Division a sworn affidavit from a manufacturer, motor vehicle dealer, or seller of the HMMWV certifying that the vehicle complies with all applicable federal motor vehicle safety standards for vehicles designed for highway use.
- (2) The vehicle has a vehicle identification number that matches the vehicle ownership documents. If the vehicle does not have a vehicle identification number, the Division shall assign one to the vehicle prior to registration. The existence of a valid vehicle identification number for the vehicle shall be verified by the License and Theft Bureau of the Division prior to its registration and titling.

(b) Applicability of This Chapter. – All provisions of this Chapter shall apply to an HMMWV, including the provisions of Article 3A and Article 9A of this Chapter, to the same extent they would apply to any other registered motor vehicle.

(c) Fees. – The vehicle registration fees applicable to property-hauling vehicles shall apply to the registration of an HMMWV.

(d) No Liability for Operations. – Neither the State nor its commission contract agents shall be liable for any injury or damages resulting from the operation of an HMMWV registered or titled pursuant to this section."

SECTION 3. Section 2 of this act becomes effective July 1, 2017. The remainder of this act is effective when it becomes law.

In the General Assembly read three times and ratified this the 21st day of June, 2017.

s/ Daniel J. Forest
President of the Senate

s/ Tim Moore
Speaker of the House of Representatives

Roy Cooper
Governor

Approved _____ .m. this _____ day of _____, 2017