GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2017

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SENATE BILL 326

House Committee Substitute Favorable 5/23/17 Third Edition Engrossed 6/1/17 Proposed Conference Committee Substitute S326-PCCS45446-RWf-1

Short Title: Clarify HUT & Improve Vehicle Titling Process.

(Public)

Sponsors:

Referred to:

March 22, 2017

1	A BILL TO BE ENTITLED				
2	AN ACT TO CLARIFY THE APPLICATION OF THE HIGHWAY USE TAX TO				
3	OUT-OF-STATE VEHICLES TITLED IN THIS STATE, TO IMPROVE THE VEHICLE				
4	TITLING PROCESS BY ELIMINATING DUPLICATIVE REQUIREMENTS, AND TO				
5	DIRECT DMV TO TITLE AND REGISTER HIGH-MOBILITY MULTIPURPOSE				
6	VEHICLES.				
7	The General Assembly of North Carolina enacts:				
8	SECTION 1. G.S. 105-187.6 is amended by adding a new subsection to read:				
9	"(d) Exemption Limitation. – The full exemptions set out in subsection (a) of t	this			
10	section, except for those set out in subdivisions (1), (2), (9), and (10) of subsection (a) of this				
11	section, do not apply to a certificate of title issued for a motor vehicle titled in another state at				
12	the time of the transfer. The partial exemptions set out in subsection (b) of this section do not				
13	apply to a certificate of title issued for a motor vehicle titled in another state at the time of	the			
14	transfer."				
15	SECTION 2.(a) Subdivisions (4), (5), and (6) of subsection (a) of G.S. 20-52	are			
16	repealed.				
17	SECTION 2.(b) G.S. 20-52(a) is amended by adding a new subdivision to read:				
18	"(7) A statement that the owner has proof of financial responsibility, as requi	red			
19	by Article 9A or Article 13 of this Chapter."				
20	SECTION 2.(c) G.S. 58-2-164(b) reads as rewritten:				
21	"(b) It shall be a Class 3 misdemeanor for any person who, with the intent to deceive	an			
22	insurer, does any of the following:				
23	(1) Presents or causes to be presented a written or oral statement in support of				
24	application for issuance of or amendment to a policy of auto insurance or				
25	vehicle registration pursuant to G.S. 20 52(a)(4) and (a)(5), insurar				
26	knowing that the application contains false or misleading information t				
27	states the applicant is an eligible risk when the applicant is not an eligi	ble			
28	risk.	a.]a			
29 30	(2) Assists, abets, solicits, or conspires with another person to prepare or m				
	any written or oral statement that is intended to be presented to an insure				
31 32	connection with or in support of an application for issuance of or amendm				
32 33	to a policy of auto insurance or for vehicle registration pursuant $C = 20.52(a)(4)$ and $(a)(5)$ insurance if the mercan knows that the statem				
33	G.S. 20-52(a)(4) and (a)(5), insurance, if the person knows that the statem	ient			



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1		contains false or misleading information that states the	applicant is an	
2		eligible risk when the applicant is not an eligible risk.		
3	In addition to any other penalties authorized by law, a violation of this subsection may be			
4	punishable by a fine of not more than one thousand dollars (\$1,000) for each violation."			
5	SECTION 2.1.(a) G.S. 20-4.01 is amended by adding a new subdivision to read:			
6	"(<u>12h</u>) <u>High-Mobility Multipurpose Wheeled Vehicle (HMMWV).</u>		
7		drive vehicle produced for military or government use	and commonly	
8		referred to as a "HMMWV" or "Humvee"."	1.0	
9	SECTION 2.1.(b) Part 3 of Article 3 of Chapter 20 of the General Statutes is			
10		ng a new section to read:		
11		ng and registration of HMMWV.		
12		tration and Certificate of Title. – The Division shall regis	ster and issue a	
13 14		to for an HMMWV if all of the following conditions are met:	has provided to	
14 15	<u>(1)</u>	The applicant for the title and registration of the HMMWV	-	
15		the Division a sworn affidavit from a manufacturer, motor v seller of the HMMWV certifying that the vehicle cor		
10		applicable federal motor vehicle safety standards for vehicle	-	
18		highway use.	ies designed tor	
19	(2)	The vehicle has a vehicle identification number that mate	ches the vehicle	
20	<u>(2)</u>	ownership documents. If the vehicle does not have a vehic	-	
21		number, the Division shall assign one to the vehicle prior to		
22		existence of a valid vehicle identification number for the		
23		verified by the License and Theft Bureau of the Divisi		
24		registration and titling.	<u> </u>	
25	(b) Appli	cability of This Chapter All provisions of this Chapter sl	hall apply to an	
26		ding the provisions of Article 3A and Article 9A of this Char		
27	extent they would	d apply to any other registered motor vehicle.		
28	(c) Fees.	- The vehicle registration fees applicable to property-haulin	ng vehicles shall	
29		stration of an HMMWV.		
30	(d) <u>No Liability for Operations. – Neither the State nor its commission contract agents</u>			
31	shall be liable for any injury or damages resulting from the operation of an HMMWV			
32		d pursuant to this section."		
33	SECTION 3. Section 2 of this act becomes effective July 1, 2017. The remainder			
34	of this act is effective when it becomes law.			