

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

Short Title: Clarify HUT & Improve Vehicle Titling Process.

(Public)

Sponsors:

Referred to:

March 22, 2017

A BILL TO BE ENTITLED

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SECTION 2.(a) Subdivisions (4), (5), and (6) of subsection (a) of G.S. 20-52 are repealed.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



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

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

4 "(12h) High Mobility Multipurpose Wheeled Vehicle (HMMWV). – A four-wheel
5 drive light truck produced for military or government use and commonly
6 referred to as a "HMMWV" or Humvee."

7 **SECTION 2.1.(b)** G.S. 20-50 is amended by adding a new subsection to read:

8 "(c) Notwithstanding G.S. 20-54, the Division may issue a title and registration to a High
9 Mobility Multipurpose Wheeled Vehicle (HMMWV) sold by a licensed motor vehicle dealer if
10 the manufacturer or dealer of the HMMWV provides a sworn affidavit certifying that the
11 vehicle is safe for highway use and that the HMMWV complies with all federal motor vehicle
12 safety standards applicable to such motor vehicle for highway use. No title shall be issued to a
13 vehicle prior to the completion of a vehicle verification conducted by the License and Theft
14 Bureau of the Division. This inspection shall consist of verifying the existence of a public
15 vehicle identification number and ensuring that it matches the vehicle and ownership
16 documents. If the vehicle does not have a manufacturer assigned vehicle identification number
17 acceptable to the Division, the Division shall assign one to the vehicle prior to registration. Any
18 HMMWV to be registered under this section must be inspected in accordance with Article 3A
19 of this Chapter and insured in accordance with Article 9A of this Chapter prior to registration.
20 The Division and the License and Theft Bureau shall not be liable for any injuries or damages
21 of any type arising from the titling, registration, or subsequent operation of a HMMWV
22 registered under this section."

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