

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 189

Short Title: Undercover MV Info. Confidential.

(Public)

Sponsors: Representatives Warner; Beard, Brawley, Brown, Decker, DeVane, Dial, Grimmer, Hasty, Hightower, Hurley, Isenhower, Jeralds, Jones, Kimsey, Ligon, Lineberry, McAllister, and Privette.

Referred to: Judiciary III.

February 28, 1991

A BILL TO BE ENTITLED

1 AN ACT TO CLARIFY THE ISSUANCE OF FICTITIOUS DRIVERS LICENSES
2 AND REGISTRATION PLATES AND TO CREATE A CONFIDENTIAL
3 REGISTRATION FILE.
4

5 The General Assembly of North Carolina enacts:

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

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

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

- 26 (1) Federal, State, and local law enforcement agencies and used for the
27 purpose of transporting, apprehending, or arresting persons charged
28 with violations of the laws of the United States or the State of North
29 Carolina;
- 30 (2) Individuals who are in federal or State witness protection programs;
- 31 (3) Agents for the Internal Revenue Service;
- 32 (4) Public officials who provide satisfactory evidence to the
33 Commissioner that their personal safety is at risk.

34 This file shall be confidential for the use of the Division."

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