

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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HOUSE BILL 1343*
Committee Substitute Favorable 7/7/04
Third Edition Engrossed 7/9/04

Short Title: Moped ID Tags.

(Public)

Sponsors:

Referred to:

May 10, 2004

A BILL TO BE ENTITLED

AN ACT TO REQUIRE MOPED IDENTIFICATION TAGS, TO AUTHORIZE THE ESTABLISHMENT OF A PRIVATE MOPED REGISTRATION SYSTEM, TO AUTHORIZE MOPED DEALERS TO CHARGE A ONE-TIME FEE TO PURCHASERS OF NEW AND USED MOPEDS, AND TO ESTABLISH A PENALTY FOR FAILURE TO COMPLY WITH THE REGISTRATION OR DISPLAY REQUIREMENTS.

The General Assembly of North Carolina enacts:

SECTION 1. Article 3 of Chapter 20 of the General Statutes is amended by adding a new Part to read:

"Part 3B. Moped Identification Tags.

§ 20-71.6. Moped identification tags.

(a) Tags Required. – Every moped, as defined in G.S. 105-164.3 and operated in the State, shall display a permanent identification tag. The tag must display information for identification and enforcement purposes and be approved by the Commissioner.

(b) Duties of Moped Dealer. – A moped dealer shall attach the approved tag to each moped sold by the dealer in this State. The moped dealer shall collect a one-time only fee from the purchaser of a new moped or a used moped that does not have an identification tag in the amount established by the North Carolina Motorcycle Dealers Association pursuant to this section. Moped dealers shall remit, on a quarterly basis, the proceeds of the fee to the North Carolina Motorcycle Dealers Association. Moped dealers shall also make an effort to promote awareness of the tag requirement.

(c) Fee. – There is established a fee of twenty-five dollars (\$25.00) to be collected by moped dealers from each purchaser of a new or used moped. The proceeds of the fee shall be used to develop the permanent identification tags, to establish and maintain a moped registration system, and to promote awareness of the tag requirement.

(d) Registration System. – The North Carolina Motorcycle Dealers Association shall establish and maintain a moped registration system identifying moped owners and

1 their corresponding identification tag information. The registration system shall be
2 accessible only to law enforcement and to moped dealers.

3 (e) Transfer of Ownership. – The identification tag required by subsection (a) of
4 this section shall not be removed upon the transfer of title of a moped. A person who
5 purchases a used moped from a person other than a moped dealer shall register the
6 moped with a moped dealer without having to pay the fee in subsection (c) of this
7 section.

8 (f) Violations. – A moped dealer who fails to attach a tag to a moped at the time
9 of sale, or a person who operates a moped upon the public highways and streets of this
10 State without displaying the tag, or a person who fails to register a moped as required by
11 this section shall have committed an infraction and shall pay a penalty of twenty-five
12 dollars (\$25.00) plus court costs in the sum of fifty dollars (\$50.00). Court costs
13 assessed under this section are for the support of the General Court of Justice and shall
14 be remitted to the State Treasurer. Conviction of an infraction under this section has no
15 other consequence.

16 (g) Reporting Requirement. – The North Carolina Motorcycle Dealers
17 Association shall report annually to the Joint Legislative Transportation Oversight
18 Committee on the collection and expenditure of fees."

19 **SECTION 2.** This act becomes effective January 1, 2005, and applies to
20 violations occurring on or after that date.