

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007

S

D

SENATE DRS75334-MA-82B\* (1/31)

Short Title: Wrecker Identification Act. (Public)

Sponsors: Senator Graham.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REQUIRE ALL WRECKERS, AS DEFINED IN CHAPTER 20 OF THE  
GENERAL STATUTES, TO BE REGISTERED WITH THE DIVISION OF  
MOTOR VEHICLES AND HAVE ASSIGNED A SPECIAL IDENTIFICATION  
NUMBER THAT SHALL BE DISPLAYED ON BOTH THE DRIVER AND  
PASSENGER DOORS.

The General Assembly of North Carolina enacts:

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

"Article 18.

"The Wrecker Identification Act.

**"§ 20-397. Application for a wrecker identification number.**

An owner of a wrecker subject to registration under this Chapter must apply to the  
Division for a wrecker identification number and a registration card for the wrecker. To  
apply, an owner must complete an application form provided by the Division. The  
application form must request all of the following information and may request other  
information the Division considers necessary:

(1) The owner's name.

(2) If the owner is an individual, the following information:

a. The owner's mailing address and residence address.

b. The owner's social security number.

(3) If the owner is a firm, a partnership, a corporation, or another entity,  
the address of the entity.

(4) A description of the vehicle, including the make, model, type of body,  
and vehicle identification number of the vehicle.

The application form must contain the disclosures concerning the request for an  
applicant's social security number required by section 7 of the federal Privacy Act of

1 1974, Pub. L. No. 93-579. In accordance with 42 U.S.C. § 405(c)(2)(C)(v), the Division  
2 may disclose a social security number obtained under this section only for the purpose  
3 of administering the wrecker identification laws and may not disclose the social security  
4 number for any other purpose. The social security number of a person who applies to  
5 register a wrecker is therefore not a public record. A violation of the disclosure  
6 restrictions is punishable as provided in 42 U.S.C. § 405(c)(2)(C)(vii).

7 **"§ 20-398. Authority for refusing to issue a wrecker identification number.**

8 The Division shall refuse to issue a wrecker identification number or any transfer of  
9 such number upon any of the following grounds:

- 10 (1) The application contains a false or fraudulent statement, the applicant  
11 has failed to furnish required information or reasonable additional  
12 information requested by the Division, or the applicant is not entitled  
13 to the issuance of a certificate of title or registration of the vehicle  
14 under this Article.
- 15 (2) The vehicle is mechanically unfit or unsafe to be operated or moved  
16 upon the highways.
- 17 (3) The Division has reasonable ground to believe that the vehicle is a  
18 stolen or embezzled vehicle.
- 19 (4) The registration of the vehicle stands suspended or revoked for any  
20 reason as provided in the motor vehicle laws of this State.
- 21 (5) The required fee has not been paid.
- 22 (6) The vehicle is not in compliance with the emissions inspection  
23 requirements of Part 2 of Article 3A of this Chapter or a civil penalty  
24 assessed as a result of the failure of the vehicle to comply with that  
25 Part has not been paid.
- 26 (7) The Division has been notified that the motor vehicle has been seized  
27 by a law enforcement officer and is subject to forfeiture pursuant to  
28 G.S. 20-28.2, et seq., or any other statute. However, the Division shall  
29 not prevent the renewal of an existing wrecker identification number  
30 prior to an order of forfeiture.

31 **"§ 20-399. Wrecker identification number indexes.**

32 The Division shall file each application received, and when satisfied as to the  
33 genuineness and regularity thereof, and that the applicant is entitled to the issuance of a  
34 wrecker identification number, shall register the vehicle therein described and keep a  
35 record thereof as follows:

- 36 (1) Under a distinctive identification number assigned to the vehicle;
- 37 (2) Alphabetically, under the name of the owner;
- 38 (3) Under the motor number or any other identifying number of the  
39 vehicle; and
- 40 (4) In the discretion of the Division, in any other manner it may deem  
41 advisable.

42 **"§ G.S. 20-400. Renewal of wrecker identification number.**

43 (a) Annual Renewal. – The identification number of a wrecker must be renewed  
44 annually. To renew the identification number of a wrecker, the owner of the vehicle

1 must file an application with the Division and pay the required registration fee. The  
2 Division may receive and grant an application for renewal of an identification number at  
3 any time before the registration expires.

4 (b) Method of Renewal. – When the Division renews the identification number of  
5 a wrecker, it must issue a new registration card for the vehicle. The Division may renew  
6 an identification number for a wrecker by means of a renewal sticker.

7 (c) Renewal Stickers. – An identification number renewal sticker issued by the  
8 Division must be displayed on the registration plate that it renews in the place  
9 prescribed by the Commissioner and must indicate the period for which it is valid.

10 (d) When Renewal Sticker Expires. – The identification number of a wrecker that  
11 is renewed by means of a renewal sticker expires at midnight on the last day of the  
12 month designated on the sticker. It is lawful, however, to operate the vehicle on a  
13 highway until midnight on the fifteenth day of the month following the month in which  
14 the sticker expired.

15 The Division shall vary the expiration dates of identification number renewal  
16 stickers issued for a wrecker so that the sticker expires on the same day as the renewal  
17 sticker for the registration plate issued to the same vehicle.

18 **"§ 20-401. Notice of change of address or name.**

19 (a) Address. – A person whose address changes from the address stated on a  
20 wrecker identification number registration card must notify the Division of the change  
21 within 60 days after the change occurs. The person may obtain a duplicate registration  
22 card stating the new address but is not required to do so. A person who does not move  
23 but whose address changes due to governmental action may not be charged with  
24 violating this subsection.

25 (b) Name. – A person whose name changes from the name stated on a wrecker  
26 identification number registration card must notify the Division of the change within 60  
27 days after the change occurs. The person may obtain a duplicate certificate registration  
28 card but is not required to do so.

29 (c) Fee. – G.S. 20-85 sets the fee for a duplicate registration card.

30 **"§ 20-402. Replacement of lost or damaged identification number registration**  
31 **cards.**

32 In the event any registration card is lost, mutilated, or becomes illegible, the owner  
33 or legal representative of the owner of the vehicle for which the same was issued, as  
34 shown by the records of the Division, shall immediately make application for and may  
35 obtain a duplicate, substitute, or new registration card upon the applicant's furnishing,  
36 under oath, information satisfactory to the Division and payment of required fee.

37 **"§ 20-403. Altering or forging a wrecker identification number, registration card,**  
38 **or application, a felony.**

39 Any person who, with fraudulent intent, shall alter any registration card issued by  
40 the Division, or any application for a registration card, or forge or counterfeit any  
41 registration card purported to have been issued by the Division under the provisions of  
42 this Article, or who shall hold or use any such registration card or application knowing  
43 the same to have been altered, forged or falsified, shall be guilty of a felony and upon  
44 conviction thereof shall be punished in the discretion of the court.

1 **"§ 20-404. Display of a wrecker identification number.**

2 The owner or operator of a wrecker required by this section to have an identification  
3 number issued shall have such number prominently displayed on the front driver and  
4 passenger doors and on the rear bumper the issued identification number in numbers  
5 that are at least four inches tall. An owner or operator that fails to display an  
6 identification number as required by this section shall be guilty of a Class 2  
7 misdemeanor.

8 **"§ 20-405. Fees.**

9 The fee for an initial wrecker identification number and the renewal of a wrecker  
10 identification number shall be the same as is prescribed for a private passenger vehicle  
11 in G.S. 20-87(5). The fee for a replacement identification number, the transfer of an  
12 identification number, or a duplicate registration card shall be the same as is prescribed  
13 in G.S. 20-85(a) for a replacement registration plate, transfer of a registration plate, and  
14 a duplicate registration card. All fees collected under this section shall be credited to the  
15 North Carolina Highway Fund."

16 **SECTION 2.** This act becomes effective December 1, 2007. Law  
17 enforcement may not enforce this act until July 1, 2008.