

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

S

D

SENATE DRS75492-MAf-457 (5/13)

Short Title: Create New Titling Categories/Street Rod. (Public)

Sponsors: Senator Rand.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO CREATE NEW MOTOR VEHICLE TITLING AND REGISTRATION CATEGORIES FOR MOTOR VEHICLES CLASSIFIED AS CUSTOM BUILT VEHICLES, REPLICA VEHICLES, AND STREET RODS, TO REQUIRE AN ADDITIONAL THIRTY DOLLAR REGISTRATION FEE TO SUPPORT THE DIVISION OF MOTOR VEHICLES BUREAU OF LICENSE AND THEFT MOTOR VEHICLE EXAMINATION PROGRAM, AND TO MAKE CORRESPONDING CHANGES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-4.01(33) reads as rewritten:

- "(33)a. Flood Vehicle. – A motor vehicle that has been submerged or partially submerged in water to the extent that damage to the body, engine, transmission, or differential has occurred.
- b. Non-U.S.A. Vehicle. – A motor vehicle manufactured outside of the United States and not intended by the manufacturer for sale in the United States.
- c. Reconstructed Vehicle. – A motor vehicle of a type required to be registered hereunder that has been materially altered from original construction due to removal, addition or substitution of new or used essential parts; ~~and includes glider kits and custom assembled vehicles.~~ parts and includes glider kits.
- d. Salvage Motor Vehicle. – Any motor vehicle damaged by collision or other occurrence to the extent that the cost of repairs to the vehicle and rendering the vehicle safe for use on the public streets and highways would exceed seventy-five percent (75%) of its fair retail market value, whether or not the motor vehicle has been declared a total loss by an insurer.

1 Repairs shall include the cost of parts and labor. Fair market
2 retail values shall be as found in the NADA Pricing Guide Book
3 or other publications approved by the Commissioner.

4 e. Salvage Rebuilt Vehicle. – A salvage vehicle that has been
5 rebuilt for title and registration.

6 f. Junk Vehicle. – A motor vehicle which is incapable of
7 operation or use upon the highways and has no resale value
8 except as a source of parts or scrap, and shall not be titled or
9 registered.

10 g. Replica Vehicle. – A motor vehicle sold unassembled and
11 manufactured from a kit. When the kit is assembled, the
12 completed vehicle replicates an earlier year, make, and model
13 vehicle. Replica vehicles shall be titled as the year, make, and
14 model of the vehicle intended to be replicated. A label of
15 "Replica" shall be applied to the title and registration card. All
16 Replica vehicle titles shall be branded as "Specially Constructed
17 Vehicle." However, this classification does not apply to
18 motorcycles. If the vehicle is a motorcycle, it shall be classified
19 as a "Custom Built" vehicle.

20 h. Street Rod Vehicle. – A motor vehicle manufactured prior to
21 1949, which has been altered from the manufacturer's original
22 design or has a body constructed from nonoriginal materials.
23 The model year of a Street Rod shall continue to be recognized
24 as the manufacturer's assigned model year. The manufacturer's
25 name shall continue to be used as the make with a label of
26 "Street Rod" applied to the title and registration card. All Street
27 Rod titles will be branded as "Specially Constructed Vehicle."
28 However, this classification does not apply to motorcycles. If
29 the vehicle is a motorcycle, it shall be classified as a "Custom
30 Built" vehicle.

31 i. Custom Built Vehicle. – A motor vehicle reconstructed or
32 assembled by a nonmanufacturer from new or used parts, which
33 has an exterior that does not replicate or resemble any other
34 manufactured vehicle. The vehicle will be titled and registered
35 showing the make as "Custom Built," and the year the vehicle
36 was built shall be the vehicle model year. All custom built
37 vehicle titles shall be branded as "Specially Constructed
38 Vehicle."

39 j. Specially Constructed Vehicle. – A motor vehicle of a type
40 required to be registered hereunder that has been materially
41 altered from original construction due to removal, addition, or
42 substitution of new or used essential parts; and includes
43 replicas, street rods, and custom built vehicles."

44 **SECTION 2.** G.S. 20-53 is amended by adding a new subsection to read:

1 "(e) Every applicant for a Custom Built, Replica, or Street Rod title and
2 registration shall pay to the Division a one-time fee of thirty dollars (\$30.00) which
3 shall be in addition to any other fee required by this Chapter. The proceeds of this one-
4 time fee shall be used by the Division for the administration of the Antique, Custom
5 Built, Replica, and Street Rod motor vehicle examination programs. Nothing in this
6 subsection shall require existing Custom Built vehicle owners to pay any additional
7 fees; however, if an existing Custom Built vehicle owner desires a vehicle title
8 classification change, he or she may, upon application and payment of the additional
9 fee, be eligible for such reclassification."

10 **SECTION 3.** 20-71.3(a) reads as rewritten:

11 "(a) Motor vehicle certificates of title and registration cards issued pursuant to
12 G.S. 20-57 shall be branded in accordance with this section.

13 As used in this section, "branded" means that the title and registration card
14 shall contain a designation that discloses if the vehicle is classified as any of the
15 following:

- 16 (1) Salvage Motor Vehicle.
- 17 (2) Salvage Rebuilt Vehicle.
- 18 (3) Reconstructed Vehicle.
- 19 (4) Flood Vehicle.
- 20 (5) Non-U.S.A. Vehicle.
- 21 (6) Specially Constructed Vehicle.
- 22 ~~(7)~~ Any other classification authorized by law."

23 **SECTION 4.** G.S. 20-71.3(b) reads as rewritten:

24 "(b) Any motor vehicle up to and including six model years old damaged by
25 collision or other occurrence, that is to be retitled in this State, shall be subject to
26 preliminary and final inspections by the ~~Enforcement Section~~ License and Theft Bureau
27 of the Division. For purposes of this section, the term "six model years" shall be
28 calculated by counting the model year of the vehicle's manufacture as the first model
29 year and the current calendar year as the final model year.

30 These inspections serve as antitheft measures and do not certify the safety or
31 road-worthiness of a vehicle."

32 **SECTION 5.** G.S. 20-71.4(a)(2) reads as rewritten:

- 33 "(2) Transfer a motor vehicle when the transferor has knowledge that the
34 vehicle is, or was, a flood vehicle, a reconstructed ~~vehicle, vehicle, a~~
35 specially constructed vehicle, or a salvage motor vehicle, without
36 disclosing that fact in writing to the transferee prior to the transfer of
37 the vehicle."

38 **SECTION 6.** This act becomes effective July 1, 2008, and applies to
39 applications received by the Division of Motor Vehicles on or after that date.