

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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SENATE BILL 1709

Short Title: Create New Titling Categories/Street Rod.

(Public)

Sponsors: Senator Rand.

Referred to: Finance.

May 21, 2008

A BILL TO BE ENTITLED

1 AN ACT TO CREATE NEW MOTOR VEHICLE TITLING AND REGISTRATION
2 CATEGORIES FOR MOTOR VEHICLES CLASSIFIED AS CUSTOM BUILT
3 VEHICLES, REPLICA VEHICLES, AND STREET RODS, TO REQUIRE AN
4 ADDITIONAL THIRTY DOLLAR REGISTRATION FEE TO SUPPORT THE
5 DIVISION OF MOTOR VEHICLES BUREAU OF LICENSE AND THEFT
6 MOTOR VEHICLE EXAMINATION PROGRAM, AND TO MAKE
7 CORRESPONDING CHANGES.
8

9 The General Assembly of North Carolina enacts:

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

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

1 retail values shall be as found in the NADA Pricing Guide Book
2 or other publications approved by the Commissioner.

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

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

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

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

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

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

43 **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.