

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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Short Title: Motor Vehicle Tech. Amendments/AB.

(Public)

\_\_\_\_\_  
Sponsors:

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Referred to:

March 4, 1999

1 A BILL TO BE ENTITLED  
2 AN ACT TO MAKE TECHNICAL, CLARIFYING, AND OTHER CHANGES TO THE  
3 MOTOR VEHICLE LAWS.

4 The General Assembly of North Carolina enacts:

5 Section 1. G.S. 20-4.01 is amended by adding a new subdivision to read:

6 "(4b) Crash. – Any event that results in injury or property damage attributable  
7 directly to the motion of a motor vehicle or its load. The terms  
8 collision, accident, and crash and their cognates are synonymous."

9 Section 2. G.S. 20-4.01(12a) reads as rewritten:

10 "(12a) Gross Vehicle Weight Rating (GVWR). – The value specified by the  
11 manufacturer as the maximum loaded weight of a vehicle. The GVWR  
12 of a combination vehicle is the GVWR of the power unit plus the  
13 GVWR of the towed unit or units. When a vehicle is determined by an  
14 enforcement officer to be structurally altered from the manufacturer's

1           original design, the license weight or the total weight of the vehicle or  
2           combination of vehicles may be deemed as the GVWR for the purpose  
3           of enforcing this Chapter."

4           Section 3. G.S. 20-4.01(27)e. reads as rewritten:

5           "e.     U-drive-it passenger vehicles. —~~Vehicles rented or leased to be~~  
6           ~~operated by the lessee. This shall not include vehicles of nine-~~  
7           ~~passenger capacity or less which are leased for a term of one year~~  
8           ~~or more to the same person or vehicles leased or rented to public~~  
9           ~~school authorities for driver training instruction. Passenger~~  
10           vehicles included in the definition of U-drive-it vehicles set forth  
11           in this section."

12           Section 4. G.S. 20-4.01(33b) reads as rewritten:

13           "(33b)   Reportable ~~Accident.~~Crash. —~~An accident or collision. A~~  
14           ~~crash~~ involving a motor vehicle that results in ~~either one or more~~  
15           of the following:

- 16           a.     Death or injury of a human being.  
17           b.     Total property damage of one thousand dollars (\$1,000) or more,  
18           or property damage of any amount to a vehicle seized pursuant to  
19           G.S. 20-28.3."

20           Section 5. G.S. 20-4.01 is amended by adding a new subdivision to read:

21           "(48.1) U-drive-it vehicles. – The following vehicles that are rented to a  
22           person, to be operated by that person:

- 23           a.     A private passenger vehicle other than the following:  
24                 1.     A private passenger vehicle of nine-passenger  
25                 capacity or less that is rented for a term of less than  
26                 one year.  
27                 2.     A private passenger vehicle that is rented to public  
28                 school authorities for driver-training instruction.  
29           b.     A property-hauling vehicle under 7,000 pounds that does  
30           not haul products for hire and that is rented for a term of  
31           less than one year.  
32           c.     Motorcycles."

33           Section 6. G.S. 20-4.18 reads as rewritten:

34           "**§ 20-4.18. Definitions.**

35           Unless the context otherwise requires, the following words and phrases, for the  
36           purpose of this Article, shall have the following meanings:

- 37           (1)   Citation. – Any citation, summons, ticket, or other document issued by a  
38           law-enforcement officer for the violation of a traffic law, ordinance, rule  
39           or regulation.  
40           (2)   Collateral or Bond. – Any cash or other security deposited to secure an  
41           appearance following a citation by a law-enforcement officer.  
42           (3)   Repealed by Session Laws 1979, c. 667, s. 2, effective January 1, 1981.

- 1 (4) Nonresident. – A person who holds a license issued by a reciprocating  
2 state.
- 3 (5) Personal Recognizance. —~~A signed~~ An agreement by a nonresident ~~that~~  
4 ~~he will to~~ comply with the terms of the citation issued to ~~him~~ the non-  
5 resident.
- 6 (6) Reciprocating State. – Any state or other jurisdiction which extends by  
7 its laws to residents of North Carolina substantially the rights and  
8 privileges provided by this Article.
- 9 (7) State. – The State of North Carolina."

10 Section 7. G.S. 20-4.19(b) reads as rewritten:

11 "(b) ~~No~~ A nonresident ~~shall be entitled to be released on his personal recognizance may~~  
12 be required to post collateral or bond to secure appearance for trial if the offense is one  
13 which would result in the suspension or revocation of a person's license under the laws of  
14 this State."

15 Section 8. G.S. 20-9(g)(1) reads as rewritten:

16 "(1) The Division may issue a license to any person who is afflicted with or  
17 suffering from a physical or mental disability set out in subsection (e) of  
18 this section who is otherwise qualified to obtain a license, provided such  
19 person submits to the Division a certificate in the form prescribed in  
20 subdivision (2). Until a license issued under this subdivision expires or  
21 is revoked, the license continues in force as long as the licensee presents  
22 to the Division ~~one year from the date of issuance of such license and at~~  
23 ~~yearly intervals thereafter a certificate in the form prescribed in subdivision~~  
24 ~~(2), provided the Commissioner may require the submission of such certificate~~  
25 ~~at six month intervals where in his opinion public safety demands. a~~  
26 certificate in the form prescribed in subdivision (2) of this subsection at  
27 the intervals determined by the Division to be in the best interests of  
28 public safety."

29 Section 9. G.S. 20-11(k) reads as rewritten:

30 "(k) Supervising Driver. – A supervising driver ~~must~~ shall be a parent or guardian of  
31 the permit holder or license holder or a responsible person approved by the parent or  
32 guardian or the Division. A supervising driver ~~must~~ shall be a licensed driver who has  
33 been licensed for at least five years. ~~A~~ At least one supervising driver ~~must~~ shall sign the  
34 application for a permit or license. ~~Each permit or license issued pursuant to this section shall~~  
35 ~~be limited to a maximum of two supervising drivers."~~

36 Section 10. G.S. 20-16(d) reads as rewritten:

37 "(d) Upon suspending the license of any person as authorized in this section, the  
38 Division shall immediately notify the licensee in writing and upon his request shall afford  
39 him an opportunity for a hearing, not to exceed 60 days after receipt of the request, unless  
40 a preliminary hearing was held before his license was ~~suspended, as early as practical within~~  
41 ~~not to exceed 30 days after receipt of such request. The hearing shall be conducted in the district~~  
42 ~~court district as defined in G.S. 7A-133 wherein the licensee resides. Hearings shall be rotated~~  
43 ~~among all the counties within that district if the district contains more than one county unless the~~

1 ~~Division and the licensee agree that such hearing may be held in some other district, and such~~  
2 ~~notice shall contain the provisions of this section printed thereon. suspended.~~ Upon such  
3 hearing the duly authorized agents of the Division may administer oaths and may issue  
4 subpoenas for the attendance of witnesses and the production of relevant books and  
5 papers and may require a reexamination of the licensee. Upon such hearing the Division  
6 shall either rescind its order of suspension, or good cause appearing therefor, may extend  
7 the suspension of such license. Provided further upon such hearing, preliminary or  
8 otherwise, involving subsections (a)(1) through (a)(10a) of this section, the Division may  
9 for good cause appearing in its discretion substitute a period of probation not to exceed  
10 one year for the suspension or for any unexpired period of suspension. Probation shall  
11 mean any written agreement between the suspended driver and a duly authorized  
12 representative of the Division and such period of probation shall not exceed one year, and  
13 any violation of the probation agreement during the probation period shall result in a  
14 suspension for the unexpired remainder of the suspension period. The authorized agents  
15 of the Division shall have the same powers in connection with a preliminary hearing prior  
16 to suspension as this subsection provided in connection with hearings held after  
17 suspension. These agents shall also have the authority to take possession of a  
18 surrendered license on behalf of the Division if the suspension is upheld and the licensee  
19 requests that the suspension begin immediately."

20 Section 11. G.S. 20-19(d) reads as rewritten:

21 "(d) When a person's license is revoked under ~~subdivision (2) of G.S. 20-17~~ G.S. 20-  
22 17(a)(2) and the person has another offense involving impaired driving for which he has  
23 been convicted, which offense occurred within three years immediately preceding the  
24 date of the offense for which his license is being revoked, the period of revocation is four  
25 years, and this period may be reduced only as provided in this section. The Division may  
26 conditionally restore the person's license after it has been revoked for at least two years  
27 under this subsection if he provides the Division with satisfactory proof that:

28 (1) He has not in the period of revocation been convicted in North Carolina  
29 or any other state or federal jurisdiction of a motor vehicle offense, an  
30 alcoholic beverage control law offense, a drug law offense, or any other  
31 criminal offense involving the possession or consumption of alcohol or  
32 drugs; and

33 (2) He is not currently an excessive user of alcohol or drugs.

34 If the Division restores the person's license, it may place reasonable conditions or  
35 restrictions on the person for the duration of the original revocation period."

36 Section 12. G.S. 20-19(e) reads as rewritten:

37 "(e) When a person's license is revoked under ~~subdivision (2) of G.S. 20-17~~ G.S. 20-  
38 17(a)(2) and the person has two or more previous offenses involving impaired driving for  
39 which he has been convicted, and the most recent offense occurred within the five years  
40 immediately preceding the date of the offense for which his license is being revoked, the  
41 revocation is permanent. The Division may, however, conditionally restore the person's  
42 license after it has been revoked for at least three years under this subsection if he  
43 provides the Division with satisfactory proof that:

1 (1) In the three years immediately preceding the person's application for a  
2 restored license, he has not been convicted in North Carolina or in any  
3 other state or federal court of a motor vehicle offense, an alcohol  
4 beverage control law offense, a drug law offense, or any criminal  
5 offense involving the consumption of alcohol or drugs; and

6 (2) He is not currently an excessive user of alcohol or drugs.

7 If the Division restores the person's license, it may place reasonable conditions or  
8 restrictions on the person for any period up to three years from the date of restoration."

9 Section 13. G.S. 20-63(g) reads as rewritten:

10 "(g) Alteration, Disguise, or Concealment of Numbers. – Any operator of a motor  
11 vehicle who shall willfully mutilate, bend, twist, cover or cause to be covered or partially  
12 covered by any bumper, light, spare tire, tire rack, strap, or other device, or who shall  
13 paint, enamel, emboss, stamp, print, perforate, or alter or add to or cut off any part or  
14 portion of a registration plate or the figures or letters thereon, or who shall place or  
15 deposit or cause to be placed or deposited any oil, grease, or other substance upon such  
16 registration plates for the purpose of making dust adhere thereto, or who shall deface,  
17 disfigure, change, or attempt to change any letter or figure thereon, or who shall display a  
18 number plate in other than a horizontal upright position, shall be guilty of a Class 2  
19 misdemeanor. Any operator of a motor vehicle who shall otherwise intentionally cover  
20 any number or registration renewal sticker on a registration plate with any material that  
21 makes the number or registration renewal sticker illegible commits an infraction and shall  
22 be fined under G.S. 14-3.1."

23 Section 14. G.S. 20-63 is amended by adding a new subsection that reads:

24 "(i) Electronic Applications and Collections. – The Division is authorized to accept  
25 electronic applications for the issuance of registration plates, registration certificates, and  
26 certificates of title, and to electronically collect fees and penalties."

27 Section 15. G.S. 20-78(b) reads as rewritten:

28 "(b) The Division shall maintain a record of certificates of title ~~issued, maintaining at~~  
29 ~~all times the records of the last two owners.~~ issued by the Division for a period of 20 years.  
30 After 20 years, the Division shall maintain a record of the last two owners.

31 The Commissioner is hereby authorized and empowered to provide for the  
32 photographic or photostatic recording of certificate of title records in such manner as he  
33 may deem expedient. The photographic or photostatic copies herein authorized shall be  
34 sufficient as evidence in tracing of titles of the motor vehicles designated therein, and  
35 shall also be admitted in evidence in all actions and proceedings to the same extent that  
36 the originals would have been admitted."

37 Section 16. G.S. 20-79.4(b)(27) reads as rewritten:

38 "(27) Military Retiree. – Issuable to an individual who has retired from the  
39 armed forces of the United States. The plate shall bear the word  
40 "Retired" and the name and insignia of the branch of service from which  
41 the individual retired. ~~The Division may not issue the plate authorized by~~  
42 ~~this subdivision unless it receives at least 300 applications for the plate."~~

43 Section 17. G.S. 20-87(2) reads as rewritten:

"(2) U-Drive-It Passenger Vehicles. – U-drive-it ~~passenger~~ vehicles shall pay the following tax:

Motorcycles:	1-passenger capacity	\$18.00
	2-passenger capacity	22.00
	3-passenger capacity	26.00

~~Automobiles: Forty one dollars (\$41.00) per year for each vehicle of fifteen passenger capacity or less, and vehicles of over fifteen passenger capacity shall be classified as buses and shall pay one dollar and forty cents (\$1.40) per hundred pounds empty weight of each vehicle.~~

Automobiles: 15 or fewer passengers  
\$41.00

Buses: 16 or more passengers  
\$ 1.40  
per hundred pounds of empty weight

Trucks under 7,000 pounds that do not haul products for hire: 4,000 pounds  
\$41.50  
5,000 pounds \$51.00  
6,000 pounds \$61.00."

Section 18. G.S. 20-96 reads as rewritten:

**"§ 20-96. Collection of delinquent penalties and taxes. Detaining property-hauling vehicles until penalties and taxes are collected.**

~~A law enforcement officer who discovers that a vehicle used for the transportation of property is being operated on the highways and that the owner of the vehicle is more than 30 days overdue in paying any of the following may detain the vehicle:~~

- ~~(1) A penalty previously assessed under this Chapter against the owner for a violation attributable to the failure of a vehicle to comply with this Chapter.~~
- ~~(2) A tax or penalty previously assessed against the owner under Article 36B of Chapter 105 of the General Statutes.~~

~~The officer may detain the vehicle until the delinquent penalties and taxes are paid.~~

(a) Authority to Detain Vehicles. – A law enforcement officer may seize and detain the following property-hauling vehicles operating on the highways of the State:

- (1) A property-hauling vehicle with an overload in violation of G.S. 20-88(k) and G.S. 20-118.

1           (2) A property-hauling vehicle that does not have a proper registration plate  
2 as required under G.S. 20-118.3.

3           (3) A property-hauling vehicle that is owned by a person liable for any  
4 overload penalties or assessments due and unpaid for more than 30  
5 days.

6           (4) A property-hauling vehicle that is owned by a person liable for any  
7 taxes or penalties under Article 36B of Chapter 105 of the General  
8 Statutes.

9           The officer may detain the vehicle until the delinquent penalties and taxes are paid  
10 and, in the case of a vehicle that does not have the proper registration plate, until the  
11 proper registration plate is secured.

12           (b) Storage; Liability. – When necessary, an officer who detains a vehicle under  
13 this section may have the vehicle stored. The owner of a vehicle that is detained or stored  
14 under this section is responsible for the care of any property being hauled by the vehicle  
15 and for any storage charges. The State ~~is~~ shall not be liable for damage to the vehicle or  
16 loss of the property being hauled."

17           Section 19. G.S. 20-166.1(h) reads as rewritten:

18           "(h) Forms. – The Division ~~must~~ shall provide forms or procedures for submitting  
19 crash data to persons required to make reports under this section and the reports ~~must~~  
20 shall be made ~~on the forms provided~~ in a format approved by the Commissioner. ~~The~~  
21 forms ~~must ask for the~~ The following information shall be included about a reportable  
22 accident: ~~crash~~:

23           (1) The cause of the ~~accident~~ crash.

24           (2) The conditions existing at the time of the ~~accident~~ crash.

25           (3) The persons and vehicles involved.

26           (4) Whether the vehicle has been seized and is subject to forfeiture under  
27 G.S. 20-28.2."

28           Section 20. G.S. 20-309(e) reads as rewritten:

29           "(e) Upon termination by cancellation or otherwise of an insurance policy provided  
30 in subsection (b) of this section, the insurer shall notify the Division of ~~such termination~~;  
31 the termination within 20 business days; provided, no cancellation notice is required if  
32 the ~~same~~ insurer issues a ~~new~~ replacement insurance policy complying with this Article at  
33 the same time the insurer cancels or otherwise terminates the old policy, no lapse in  
34 coverage results, and the insurer sends the certificate of insurance form for the new  
35 policy to the Division. The insurer shall notify the Division of any new policy for  
36 insurance within 20 working days of its issuance unless the new coverage is a  
37 replacement insurance policy for a policy terminated by the same insurer. Any insurance  
38 company with twenty-five million dollars (\$25,000,000) or more in annual vehicle  
39 insurance premium volume must submit the notices required under this section by  
40 electronic means. All other insurance companies may submit the notices required under  
41 this section by either paper or electronic means. The names of insureds and the  
42 beginning date and termination date of insurance coverage provided to the Division by

1 the insurer pursuant to this paragraph shall constitute a designated trade secret under G.S.  
2 132-1.2.

3 The Division, upon receiving notice of ~~cancellation or termination of an owner's~~  
4 ~~financial responsibility as required by this Article, a lapse in insurance coverage,~~ shall  
5 notify ~~such the~~ owner of ~~such cancellation or termination, the lapse in coverage,~~ and ~~such~~  
6 ~~the~~ owner shall, to retain the registration plate for the vehicle registered or required to be  
7 registered, within 10 days from date of notice given by the Division either:

8 (1) Certify to the Division that he had financial responsibility effective on  
9 or prior to the date of such termination; or

10 (2) In the case of a lapse in financial responsibility, pay a fifty dollar  
11 (\$50.00) civil penalty; and certify to the Division that he now has  
12 financial responsibility effective on the date of certification, that he did  
13 not operate the vehicle in question during the period of no financial  
14 responsibility with the knowledge that there was no financial  
15 responsibility, and that the vehicle in question was not involved in a  
16 motor vehicle ~~accident~~ crash during the period of no financial  
17 responsibility.

18 Failure of the owner to certify that he has financial responsibility as herein required  
19 shall be prima facie evidence that no financial responsibility exists with regard to the  
20 vehicle concerned and unless the owner's registration plate has on or prior to the date of  
21 termination of insurance been surrendered to the Division by surrender to an agent or  
22 representative of the Division designated by the Commissioner, or depositing the same in  
23 the United States mail, addressed to the Division of Motor Vehicles, Raleigh, North  
24 Carolina, the Division shall revoke the vehicle's registration for 30 days.

25 In no case shall any vehicle, the registration of which has been revoked for failure to  
26 have financial responsibility, be reregistered in the name of the registered owner, spouse,  
27 or any child of the spouse, or any child of such owner within less than 30 days after the  
28 date of receipt of the registration plate by the Division of Motor Vehicles, except that a  
29 spouse living separate and apart from the registered owner may register such vehicle  
30 immediately in such spouse's name. Additionally, as a condition precedent to the  
31 reregistration of the vehicle by the registered owner, spouse, or any child of the spouse,  
32 or any child of such owner, except a spouse living separate and apart from the registered  
33 owner, the payment of a restoration fee of fifty dollars (\$50.00) and the appropriate fee  
34 for a new registration plate is required. Any person, firm or corporation failing to give  
35 notice of termination shall be subject to a civil penalty of two hundred dollars (\$200.00)  
36 to be assessed by the Commissioner of Insurance upon a finding by the Commissioner of  
37 Insurance that good cause is not shown for such failure to give notice of termination to  
38 the Division."

39 Section 21. G.S. 20-376 reads as rewritten:

40 "**§ 20-376. Definitions.**

41 The following definitions apply in this Article:



- 1 (1) Federal safety and hazardous materials regulations. – The federal motor  
2 carrier safety regulations contained in 49 C.F.R. Parts ~~170 through 190,~~  
3 171 through 180, 382, and 390 through 398.
- 4 (2) Foreign commerce. – Commerce between any of the following:  
5 a. A place in the United States and a place in a foreign country.  
6 b. Places in the United States through any foreign country.
- 7 (3) Interstate commerce. – As defined in 49 C.F.R. Part 390.5. Commerce  
8 between any of the following:  
9 a. ~~A place in a state and a place in another state.~~  
10 b. ~~Places in the same state through another state.~~
- 11 (4) Intrastate commerce. – As defined in 49 C.F.R. Part 390.5. Commerce  
12 that is between points and over a route wholly within this State and is  
13 not part of a prior or subsequent movement to or from points outside of  
14 this State in interstate or foreign commerce."

15 Section 22. G.S. 20-381(b) reads as rewritten:

- 16 "(b) The definitions set out in 49 Code of Federal Regulations § 171.8 apply to this  
17 subsection. ~~Citations to the Code of Federal Regulations (CFR) in this subsection refer to the 1~~  
18 ~~October 1997 Edition of the CFR.~~–The transportation of an agricultural product, other than  
19 a Class 2 material, over local roads between fields of the same farm by a farmer operating  
20 as an intrastate private motor carrier is exempt from the requirements of Parts 171  
21 through 180 of 49 CFR as provided in 49 CFR § 173.5(a). The transportation of an  
22 agricultural product to or from a farm within 150 miles of the farm by a farmer operating  
23 as an intrastate private motor carrier is exempt from the requirements of Subparts G and  
24 H of Part 172 of 49 CFR as provided in 49 CFR § 173.5(b)."

25 Section 23. G.S. 20-118(c)(5) reads as rewritten:

- 26 "(5) The light-traffic road limitations provided for pursuant to subdivision  
27 (b)(4) of this section do not apply to a vehicle while that vehicle is  
28 transporting only the following from its point of origin on a light-traffic  
29 road to the nearest highway that is not a light-traffic road:  
30 a. Processed or unprocessed seafood transported from boats or any  
31 other point of origin to a processing plant or a point of further  
32 distribution.  
33 b. Meats or agricultural crop products transported from a farm to  
34 first market.  
35 c. Forest products originating and transported from a farm or from  
36 woodlands to first market without interruption or delay for  
37 further packaging or processing after initiating transport.  
38 d. Livestock or poultry transported from their point of origin to first  
39 market.  
40 e. Livestock by-products or poultry by-products transported from  
41 their point of origin to a rendering plant.  
42 f. Recyclable material transported from its point of origin to a  
43 scrap-processing facility for processing. As used in this subpart,

1 the terms "~~recyclable~~" "recyclable material" and "processing" have  
2 the same meaning as in G.S. 130A-290(a).

- 3 g. Garbage collected by the vehicle from residences or garbage  
4 dumpsters if the vehicle is fully enclosed and is designed  
5 specifically for collecting, compacting, and hauling garbage from  
6 residences or from garbage dumpsters. As used in this subpart,  
7 the term "garbage" does not include hazardous waste as defined in  
8 G.S. 130A-290(a), spent nuclear fuel regulated under G.S. 20-  
9 167.1, low-level radioactive waste as defined in G.S. 104E-5, or  
10 radioactive material as defined in G.S. 104E-5.
- 11 h. Treated sludge collected from a wastewater treatment facility.
- 12 i. Apples when transported from the orchard to the first processing  
13 or packing point.
- 14 j. Trees grown as Christmas trees from the field, farm, stand, or  
15 grove to first processing point."

16 Section 24. The Division of Motor Vehicles shall develop a plan to improve  
17 the system of collecting and maintaining proof of financial responsibility for newly  
18 licensed drivers classified as inexperienced operators. The Division shall submit its  
19 report to the Joint Legislative Transportation Oversight Committee by December 1, 1999.

20 Section 25. G.S. 20-183.8(b) reads as rewritten:

21 "(b) Defenses to Infractions. – Any of the following is a defense to a violation  
22 under subsection (a) of this section:

- 23 (1) The vehicle was continuously out of State for at least the 30 days  
24 preceding the date the inspection sticker expired and a current  
25 inspection sticker was obtained within 10 days after the vehicle came  
26 back to the State.
- 27 (2) The vehicle displays a dealer license plate or a transporter plate, the  
28 dealer repossessed the vehicle or otherwise acquired the vehicle within  
29 the last 10 days, and the vehicle is being driven from its place of  
30 acquisition to the dealer's place of business or to an inspection station.
- 31 (3) Repealed by Session Laws 1997-29, s. 5.
- 32 (4) The charged infraction is described in subdivision (a)(1) of this section,  
33 the vehicle is subject to a ~~safety-only inspection~~, safety inspection or an  
34 emissions inspection and the vehicle owner establishes in court that the  
35 vehicle was inspected after the citation was issued and within 30 days of  
36 the expiration date of the inspection sticker that was on the vehicle  
37 when the citation was issued."

38 Section 26. G.S. 105-550(7) reads as rewritten:

39 "(7) U-drive-it ~~passenger~~ vehicle. – Defined in G.S. 20-4.01."

40 Section 27. G.S. 105-551(a) reads as rewritten:

41 "(a) Tax. – The board of trustees of an Authority may levy a privilege tax on a  
42 retailer who is engaged in the business of leasing or renting U-drive-it ~~passenger~~-vehicles  
43 or motorcycles based on the gross receipts derived by the retailer from the short-term

1 lease or rental of these vehicles. The tax rate must be a percentage and may not exceed  
2 five percent (5%). A tax levied under this section applies to short-term leases or rentals  
3 made by a retailer whose place of business or inventory is located within the territorial  
4 jurisdiction of the Authority. This tax is in addition to all other taxes."

5 Section 28. G.S. 105-552(b) reads as rewritten:

6 "(b) Collection. – A tax levied by an Authority under this Article shall be collected  
7 by the Authority but shall otherwise be administered in the same manner as the optional  
8 gross receipts tax levied by G.S. 105-187.5. Like the optional gross receipts tax, a tax  
9 levied under this Article is to be added to the lease or rental price of a U-drive-it ~~passenger~~  
10 vehicle or motorcycle and thereby be paid by the person to whom it is leased or rented.

11 A tax levied under this Article applies regardless of whether the retailer who leases or  
12 rents the U-drive-it ~~passenger~~-vehicle or motorcycle has elected to pay the optional gross  
13 receipts tax on the lease or rental receipts from the vehicle. A tax levied under this Article  
14 must be paid to the Authority that levied the tax by the date an optional gross receipts tax  
15 would be payable to the Secretary of Revenue under G.S. 105-187.5 if the retailer who  
16 leases or rents the U-drive-it ~~passenger~~-vehicle or motorcycle had elected to pay the  
17 optional gross receipts tax."

18 Section 28.1. G.S. 105-259(b)(7) reads as rewritten:

19 "(b) Disclosure Prohibited. – An officer, an employee, or an agent of the State who  
20 has access to tax information in the course of service to or employment by the State may  
21 not disclose the information to any other person unless the disclosure is made for one of  
22 the following purposes:

23 ...

24 (7) To exchange information with the Division of Motor Vehicles of the  
25 Department of Transportation or the International Fuel Tax Association,  
26 Inc., when the information is needed to fulfill a duty imposed on the  
27 Department of Revenue or the Division of Motor Vehicles."

28 Section 29. Sections 6, 7, 9, and 29 of this act are effective when they become  
29 law. Section 20 of this act becomes effective October 1, 2000. The remainder of this act  
30 becomes effective October 1, 1999.