



2017-2018 General Assembly

HOUSE BILL 92: Cherokee Reg. Plate/Teaching Agreement, Sec. 1: Eastern Band of Cherokee Special Registration Plate

Committee:		Date:	August 7, 2018
Introduced by:		Prepared by:	Kara McCraw Staff Attorney
Analysis of:	Sec. 1 of S.L. 2018-7		

OVERVIEW: *Sec. 1 of S.L. 2018-7 authorizes the Division of Motor Vehicles (DMV) to produce a special registration plate for the Eastern Band of Cherokee Indians, a federally recognized tribe. The plate is issuable to any member of the Eastern Band of Cherokee Indians who presents a tribal identification card, and may bear a phrase or emblem representing the Eastern Band of Cherokee Indians. The plate is not subject to the special registration plate fee or the special plate approval process.*

This section became effective June 13, 2018.

SECTION 1: SPECIAL REGISTRATION PLATE FOR THE EASTERN BAND OF CHEROKEE INDIANS

CURRENT LAW: The General Assembly established a process for establishing a special plate that became effective October 1, 2014. An organization seeking a plate must collect the minimum number of applications¹ and submit a special plate application to the Division of Motor Vehicles (DMV). Each year, by March 15, DMV must send the Transportation and Finance chairs of both houses a list of the applicant-organizations. The General Assembly may approve, disapprove, or take no action on a bill authorizing a particular plate. If the General Assembly approves the plate, the organization has 60 days to submit its artwork and list of purchasers to DMV, and DMV has six months to develop the plate.

As a general rule, the fee for a special registration plate is the regular vehicle registration fee, which is \$36, plus a special registration plate fee of at least \$10.² \$10 of the special registration plate fee is credited to the Special Registration Plate Account.³ There are several military-related special plates that are exempt from the additional \$10 fee.⁴

¹ 300 applications for a special registration plate on a standard background; and 500 applications for a special registration plate on a non-standard background.

² The cost of some special plates includes a fee in addition to the \$10 special registration plate fee. In those instances, the first \$10 goes to the special registration plate fund and the remainder is transferred quarterly to designated beneficiaries of the additional fee amount.

³ After deducting the cost of the plates from this account, \$1.3 million is appropriated to provide operating assistance for Visitor Centers. Fifty percent (50%) of the remaining revenue is transferred quarterly to the Department of Transportation for highway beautification and the remainder is transferred quarterly to the Highway Fund to be used for the Roadside Vegetation Management Program.

⁴ There are five special plates that are free of charge from both the registration fee and the \$10 additional fee: Legion of Valor, 100% Disabled Veteran, Ex-Prisoner of War, Bronze Star Valor, and a Silver Star.

Karen Cochrane-Brown
Director



Legislative Analysis
Division
919-733-2578

House Bill 92

Page 2

BILL ANALYSIS: S.L. 2018-7 requires the DMV to issue a special registration plate to any members of the Eastern Band of Cherokee Indians who present to the Division a tribal identification card. These special registration plates are subject to the regular motor vehicle registration fee in G.S. 20-87 or G.S. 20-88, but are not subject to any additional fees. This special plate will be the first special plate that is exempt from the additional fee that is not military-related. The plate is not subject to the special plate approval process, and as such is not subject to the minimum number of applications for issuance.

EFFECTIVE DATE: S.L. 2018-7, Sec. 1, became effective June 13, 2018.