



HOUSE BILL 211: Various DMV Changes.

2019-2020 General Assembly

Committee:	Senate Transportation. If favorable, re-refer to Rules and Operations of the Senate	Date:	June 25, 2019
Introduced by:	Rep. Shepard	Prepared by:	Wendy Ray
Analysis of:	Fourth Edition		Staff Attorney

OVERVIEW: *House Bill 211 would make the following changes to laws relating to motor vehicles:*

- *Amend the definitions of fuel cell and plug-in electric vehicles to clarify that they cannot have the ability to be propelled by a gasoline engine.*
- *Eliminate the requirement for a signature space on a registration card.*
- *Authorize remote conversion of a provisional license to a regular drivers license.*
- *Require the Division of Motor Vehicles to waive lapse in financial responsibility penalties under certain circumstances when a person has moved to another state.*
- *Provide reflectivity standards for registration plates and require replacement of plates every seven years.*
- *Delete the requirement that passengers and operators wear helmets on autocycles.*
- *Allows a person to apply for a limited driving privilege when his or her license has been revoked for failing to pay fines or court costs.*

CURRENT LAW/BILL ANALYSIS: House Bill 211 would make changes to motor vehicle-related laws as follows:

Section 1 would amend current definitions within G.S. 20-4.01, applicable to fuel cell electric and plug-in electric vehicles, to clarify that those vehicles cannot have the ability to be propelled by a gasoline engine. Fuel cell electric vehicles and plug-in electric vehicles are not required to undergo emissions inspections pursuant to G.S. 20-183.2, nor are they subject to the HOV lane restrictions pursuant to G.S. 20-146.2, under certain circumstances.

Section 2. S.L. 2016-90, Section 12.(a), repealed the requirement for an owner to sign a motor vehicle registration card issued by the Division of Motor Vehicles. This section would make a technical correction to repeal the requirement that there be a space for the owner's signature on the registration card.

Section 3 would authorize remote conversion of a full provisional license to a regular drivers license. It would also provide that a full provisional license expires 60 days after the holder's 21st birthday, rather than on the 21st birthday. It would also authorize a person remotely renewing or converting a license to update his or her address.

Section 4. Current law requires the owner of a motor vehicle that is registered or is required to be registered to have a motor vehicle liability policy. If the liability policy lapses during that motor vehicle's registration period, the Division is authorized to take action as outlined in G.S. 20-311. Under current law,

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if a vehicle owner cancels a North Carolina liability policy in the process of moving out-of-state and prior to registering that same vehicle out-of-state, the owner may be assessed a penalty.

This section would require the Division to waive the monetary penalty and restoration fee for a lapse in liability insurance coverage if the owner of the vehicle meets all of the following requirements:

- The owner has become a resident of another state and has registered the owner's vehicle in that state within 30 days of the cancellation or expiration of the owner's North Carolina motor vehicle liability policy.
- The owner has submitted a copy of their current out of state registration card to the Division.
- The owner has returned the North Carolina registration plate or has submitted an affidavit indicating that the North Carolina registration plate has been lost, stolen, or destroyed.

Section 5 would provide detailed standards for construction and reflectivity of all registration plates issued by the Division. It would also require the Division to replace registration plates every seven years (an existing plate would have to be replaced if, at the time of renewal, it is seven or more years old or will become that old during the registration period). The Division would be required to coordinate with the Department of Information Technology to implement a plate production platform that would integrate the registration system with on-demand plate production and provide for direct shipping of the plates. This section would be effective July 1, 2020, and would apply to plates issued on or after that date.

Section 5.1 would exempt all operators and passengers on autocycles from the requirement to wear a helmet. Currently, autocycles fall within the definition of motorcycle for purposes of the helmet requirement, with the specific exception that helmets are not required on autocycles with completely enclosed seating.

Section 5.5 would allow a person whose license has been revoked solely for failing to pay fines or court costs ordered by a court to apply for a limited driving privilege. The privilege would be valid up to one year, and a person would only be eligible if he or she had not had a limited privilege granted for the same reason within the previous three years.

EFFECTIVE DATE: This act would be effective when it becomes law.

Howard Marsilio, counsel to House Transportation, contributed to this summary.