



HOUSE BILL 449: Handicapped & Special Registration Plates.

2019-2020 General Assembly

Committee:		Date:	August 22, 2019
Introduced by:	Reps. Iler, Torbett	Prepared by:	Wendy Ray
Analysis of:	Conference Committee Substitute (H449-CCSSU-7)		Staff Attorney

OVERVIEW: House Bill 449 would authorize the Division of Motor Vehicles to issue a handicapped license plate to a vehicle owner who is the parent or legal guardian of a handicapped person. It would also authorize the Division to produce the following four new special registration plates: "ALS Research", "Keeping The Lights On", "Wrightsville Beach", and "POW/MIA Bring Them Home".

SECTION 1: GUARDIAN/PARENT AUTHORIZED PLATE

CURRENT LAW: G.S. 20-37.6 provides for parking privileges for handicapped drivers and passengers who have applied for and obtained from the Division of Motor Vehicles a handicapped windshield placard or registration plate. Any vehicle that is driven by or is transporting a person who is handicapped and that displays a handicapped placard or plate is authorized to park in spaces designated as handicapped spaces. If the handicapped person is a registered owner of a vehicle, he or she may apply for a distinguishing plate. A handicapped person who is not the owner of a vehicle may apply for a removable windshield placard. An initial application for a plate or a placard must be accompanied by certification from a medical professional that the applicant is handicapped.

Handicapped plates must be renewed annually but do not require medical recertification. Placards must be renewed every five years and require medical recertification that the applicant is handicapped, unless the applicant has been certified as totally and permanently disabled or is over the age of 80 at the time of the placard's expiration.

BILL ANALYSIS: Section 1 of House Bill 449 would authorize the Division of Motor Vehicles to issue a handicapped plate to a vehicle owner who is the parent or legal guardian of a handicapped person. Currently, an owner who is not handicapped but regularly cares for a handicapped person would only have the option of applying for a removable placard for that individual.

This section would allow a vehicle owner to apply for the plate by certifying that he or she is the parent or guardian of a handicapped person, as well as providing medical certification for the handicapped individual. Guardian is defined in the bill as a person who has been awarded legal custody of a juvenile by a court under Chapter 7B, or a guardian appointed for the purpose of performing duties related to the care, custody, and control of a ward under Chapter 35A. A plate issued to the parent or guardian of a handicapped person would be renewed annually, and recertification would be required every five years.

This section would also make clear that a person operating a vehicle with a handicapped plate is not entitled to park in a handicapped space when a handicapped person is not a driver or passenger in the vehicle.

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SECTION 2: AUTHORIZE NEW SPECIAL REGISTRATION PLATES

CURRENT LAW: North Carolina offers a number of special registration plates. Upon application and payment of the required registration fees, a person may obtain from the Division of Motor Vehicles a special registration plate for a motor vehicle registered in that person's name if the person qualifies for the plate. The issuance of most authorized plates is contingent upon the receipt by the Division of at least 300 applications for the particular plate, or 500 applications for full-color background plates.

As a general rule, the fee for a special registration plate is the regular vehicle registration fee plus a \$10 special registration plate fee. The \$10 special registration plate fee is credited to the Special Registration Plate Account. After deducting the cost of the plates from this account, \$1.3 million is appropriated to provide operating assistance for Visitor Centers. The remaining revenue in the account is transferred quarterly to the Department of Transportation for highway beautification (50%) and the Highway Fund for the Roadside Vegetation Management Program (50%). 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.

In 2014, the General Assembly enacted legislation creating a [development process for special registration plates](#), which requires the organization desiring the plate to submit the required number of paid applications to the Division before legislation is introduced to authorize the plate. Once legislation has passed, the organization must submit the final artwork and list of paid applicants to the Division within 60 days, or the authorization expires.

BILL ANALYSIS: Section 2 of House Bill 449 would authorize the Division to produce the following new special registration plates for which the organizations requesting the plates have completed the requirements of the development process, including submitting the required number of paid applications:

- ALS Research - A First in Flight plate with a picture of a baseball and the phrase "Cure ALS". The fee would be \$30, with \$20 going to The ALS Association of North Carolina Chapter to support ALS research.
- Keeping The Lights On – A full color background plate with a background of mountains to the coast and a picture of a line worker on a utility pole and the phrase "Keeping The Lights On". The fee would be \$30, with \$20 going to the UNC Jaycee Burn Center.
- Wrightsville Beach – A First in Flight plate with the Town of Wrightsville Beach logo and the suffix WB after the assigned characters. The fee would be \$20, with \$10 going to the Town of Wrightsville Beach to help fund the Town's continuing efforts to maintain and improve recreational opportunities for residents and visitors of Wrightsville Beach.

This section would also authorize the Division to produce a "POW/MIA Bring Them Home" special registration plate for motor vehicles and motorcycles. The plate would be on a full-color background and would be exempt from the plate development process, the expiration provisions that generally apply to new special registration plates, and the required minimum number of applications. The Division would be required to issue the plates after receiving 350 applications (motor vehicle and motorcycle applications would both count toward the 350 total required.) The fee for the plate would be \$20 in addition to the regular registration fee. The first \$10 of the additional fee would go to the Special Registration Plate Account, and the additional \$10 would be transferred to Rolling Thunder, Inc., Chapter #1 North Carolina.

EFFECTIVE DATE: The act would become effective March 1, 2020.