

NORTH CAROLINA GENERAL ASSEMBLY  
1971 SESSION

CHAPTER 230  
HOUSE BILL 189

AN ACT TO AMEND G.S. 20-77(b) TO FACILITATE TRANSFER OF TITLE TO MOTOR VEHICLES BY HEIRS WHERE SUCH VEHICLES CONSTITUTE SOLE ASSET OF ESTATE.

The General Assembly of North Carolina do enact:

**Section 1.** G.S. 20-77(b) is amended by deleting all the rest of sub-paragraph (b) beginning on line 6 with the word "however" and substituting in lieu thereof the following words:

"If a decedent dies intestate and no administrator has qualified or the Clerk of Superior Court has not issued a certificate of assignment as part of the widow's years allowance, or if a decedent dies testate with a small estate and leaving a purported will, which, in the opinion of the Clerk of Superior Court, does not justify the expense of probate and administration and probate and administration is not demanded by any interested party entitled by law to demand same, and provided that the purported will is filed in the public records of the office of the Clerk of the Superior Court, the department may upon affidavit executed by all heirs effect such transfer. The affidavit shall state the name of the decedent, date of death, that the decedent died intestate or testate and no administration is pending or expected, that all debts have been paid or that the proceeds from the transfer will be used for that purpose, the names, age and relationship of all heirs and devisees (if there be a purported will), and the name and address of the transferee of the title. A surviving spouse may execute the affidavit and transfer the interest of the decedent's minor or incompetent children where such minor or incompetent does not have a guardian. A transfer under this sub-paragraph shall not affect the validity nor be in prejudice of any creditor's lien."

**Sec. 2.** This act shall become effective upon its ratification.

In the General Assembly read three times and ratified, this the 23rd day of April, 1971.