

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 218

Short Title: Vehicle Title Amendments.

(Public)

Sponsors: Senator Kincaid.

Referred to: Transportation.

March 11, 1991

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE PENALTY FOR FAILING TO APPLY FOR A MOTOR VEHICLE TITLE AND TO MAKE TECHNICAL CHANGES TO ARTICLE 3 OF CHAPTER 20.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-74 is rewritten to read:

"§ 20-74. Penalty for failure to make application for transfer within the time specified by law.

It is the intent and purpose of this Article that every new owner or purchaser of a vehicle previously registered shall make application for transfer of title within 20 days after acquiring same, or see that such application is sent in by the lienholder with proper fees, and responsibility for such transfer shall rest on the purchaser. Any person, firm or corporation failing to do so shall pay a penalty of ~~four dollars (\$4.00)~~ fifty dollars (\$50.00) in addition to the fees otherwise provided in this Article. It is further provided that any dealer or owner who shall knowingly make any false statement in any application required by this Division as to the date a vehicle was sold or acquired shall be guilty of a misdemeanor, and upon conviction shall be fined not more than fifty dollars (\$50.00) or imprisoned not more than 30 days. All moneys collected under this section shall go to the State Highway Fund."

Sec. 2. G.S. 20-110 is amended by adding a new subsection to read:

"(1) The Division may rescind and cancel the registration and certificate of title of any vehicle when presented with evidence that the vehicle has been lawfully transferred to another person who has failed to apply for and obtain registration and certificate of title in their name as required

1                   by G.S 20-74. The Division shall prepare a form to carry out the  
2                   provisions of this section."

3                   Sec. 3. G.S. 20-57(b) reads as rewritten:

4                   "(b) The registration card shall be delivered to the owner and shall contain upon  
5 the face thereof the name and address of the owner, space for owner's signature, the  
6 registration number assigned to the vehicle, and such description of the vehicle as  
7 determined by the Commissioner, provided that if there are more than two owners the  
8 Division may show only two owners on the registration card and indicate that additional  
9 owners exist by placing after the names listed 'et al.' ~~Upon application to the Division, the~~  
10 ~~registered owner may acquire additional copies of the registration card at a fee of three dollars~~  
11 ~~(\$3.00) each."~~

12                   Sec. 4. G.S. 20-52(a) reads as rewritten:

13                   "(a) Every owner of a vehicle subject to registration hereunder shall make  
14 application to the Division for the registration thereof and issuance of a certificate of  
15 title for such vehicle upon the appropriate form or forms furnished by the Division, and  
16 every such application shall bear the signature of the owner written with pen and ink,  
17 and said signature shall be acknowledged by the owner before a person authorized to  
18 administer oaths, and said application shall contain:

- 19                   (1) The name, bona fide residence and mail address of the owner or  
20                   business address of the owner if a firm, association or corporation;
- 21                   (2) A description of the vehicle, including, insofar as the hereinafter  
22                   specified data may exist with respect to a given vehicle, the make,  
23                   model, type of body, the serial number of the vehicle, the engine and  
24                   other identifying numbers of the vehicle and whether new or used, and  
25                   if a new vehicle, the date of sale and actual date of delivery of vehicle  
26                   by the manufacturer or dealer to the person intending to operate such  
27                   vehicle;
- 28                   (3) A statement of the applicant's title and of all liens or encumbrances  
29                   upon said vehicle and the names and addresses of all lienholders in the  
30                   order of their priority, and the ~~amount~~, date and nature of the security  
31                   agreement;
- 32                   (4) Such further information as may reasonably be required by the  
33                   Division to enable it to determine whether the vehicle is lawfully  
34                   entitled to registration and the owner entitled to a certificate of title."

35                   Sec. 5. This act becomes effective October 1, 1991.