

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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HOUSE BILL 1097*

Short Title: Service of Hearing Order/MV Dealer Licensee. (Public)

Sponsors: Representative Torbett (Primary Sponsor).

For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Judiciary Subcommittee A, if favorable, Transportation.

May 19, 2014

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT NOTICE OF A SUSPENSION, REVOCATION, OR
NONRENEWAL OF A LICENSE UNDER THE MOTOR VEHICLE DEALERS AND
MANUFACTURERS LICENSING LAW SHALL BE GIVEN IN ACCORDANCE WITH
RULE 4 OF THE RULES OF CIVIL PROCEDURE, AS RECOMMENDED BY THE
JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-296 reads as rewritten:

"§ 20-296. **Notice and hearing upon denial, suspension, revocation or refusal to renew license.**

No license shall be suspended or revoked or denied, or renewal thereof refused, until a written notice of the complaint made has been furnished to the licensee against whom the same is directed, and a hearing thereon has been had before the Commissioner, or a person designated by him. At least 10 days' written notice of the time and place of such hearing shall be given to the licensee by certified mail with return receipt requested to his last known address as shown on his license or other record of information in possession of the Division. At any such hearing, the licensee shall have the right to be heard personally or by counsel. After hearing, the Division shall have power to suspend, revoke or refuse to renew the license in question. Immediate notice of any such action shall be given to the licensee in ~~the manner herein provided in the case of notices of hearing~~ accordance with G.S. 1A-1, Rule 4 of the Rules of Civil Procedure."

SECTION 2. This act becomes effective October 1, 2014, and applies to notices given on or after that date.

