

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 218
Second Edition Engrossed 3/26/91

Short Title: Vehicle Title Amendments.

(Public)

Sponsors: Senator Kincaid.

Referred to: Transportation.

March 11, 1991

A BILL TO BE ENTITLED

1 AN ACT TO INCREASE THE PENALTY FOR FAILING TO APPLY FOR A
2 MOTOR VEHICLE TITLE AND TO MAKE TECHNICAL CHANGES TO
3 ARTICLE 3 OF CHAPTER 20.
4

5 The General Assembly of North Carolina enacts:

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

7 "**§ 20-74. Penalty for failure to make application for transfer within the time**
8 **specified by law.**

9 It is the intent and purpose of this Article that every new owner or purchaser of a
10 vehicle previously registered shall make application for transfer of title within 20 days
11 after acquiring same, or see that such application is sent in by the lienholder with proper
12 fees, and responsibility for such transfer shall rest on the purchaser. Any person, firm or
13 corporation failing to do so shall pay a penalty of ~~four dollars (\$4.00)~~ twenty dollars
14 (\$20.00) in addition to the fees otherwise provided in this Article. It is further provided
15 that any dealer or owner who shall knowingly make any false statement in any
16 application required by this Division as to the date a vehicle was sold or acquired shall
17 be guilty of a misdemeanor, and upon conviction shall be fined not more than fifty
18 dollars (\$50.00) or imprisoned not more than 30 days. All moneys collected under this
19 section shall go to the State Highway Fund."

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

21 "(1) The Division may rescind and cancel the registration and certificate of
22 title of any vehicle when presented with evidence that the vehicle has
23 been lawfully transferred to another person who has failed to apply for

1 and obtain registration and certificate of title in their name as required
2 by G.S 20-74. The Division shall prepare a form to carry out the
3 provisions of this section."

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

5 "(b) The registration card shall be delivered to the owner and shall contain upon
6 the face thereof the name and address of the owner, space for owner's signature, the
7 registration number assigned to the vehicle, and such description of the vehicle as
8 determined by the Commissioner, provided that if there are more than two owners the
9 Division may show only two owners on the registration card and indicate that additional
10 owners exist by placing after the names listed 'et al.' ~~Upon application to the Division, the~~
11 ~~registered owner may acquire additional copies of the registration card at a fee of three dollars~~
12 ~~(\$3.00) each."~~

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

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

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

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