

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

S

1

SENATE BILL 840

Short Title: Discovery in Dealer Licensing Law.

(Public)

Sponsors: Senator Cooper.

Referred to: Judiciary II.

April 13, 1993

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE COMMISSIONER TO EXTEND THE TIME WITHIN WHICH THE PARTIES MUST COMPLETE DISCOVERY AND THE TIME WITHIN WHICH THE COMMISSIONER MUST HOLD A HEARING AND RENDER A DETERMINATION IN CONTESTED CASES UNDER THE MOTOR VEHICLES DEALERS AND MANUFACTURERS LICENSING LAW.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-301(e) reads as rewritten:

"(e) In any contested administrative proceeding conducted pursuant to this Article, the Commissioner shall limit the time for discovery in any contested administrative hearing conducted pursuant to Article 12 to a time not to exceed 60 days. The Commissioner may extend the time for discovery beyond 60 days either establish a reasonable period of time within which the parties may conduct discovery and may extend that period upon the consent of all parties to the proceeding or upon application of one or more of the parties to the proceeding for good cause shown. Notwithstanding any provisions of this Article, in any contested administrative hearing proceeding conducted pursuant to this Article, the Commissioner may, upon the consent of all parties to the proceeding or upon application of one or more of the parties to the proceeding for good cause shown, extend the time within which the Commissioner is required to hold a hearing and the time within which the Commissioner is required to render a determination."

Sec. 2. This act becomes effective July 1, 1993.