

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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HOUSE DRH50668-MA-221 (5/18)

Short Title: Return of License Plates to the Division. (Public)

Sponsors: Representative Folwell.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THE RETURN OF A SEIZED LICENSE PLATE TO THE
DIVISION OF MOTOR VEHICLES AT THE CONCLUSION OF ANY
ADMINISTRATIVE, CIVIL, OR CRIMINAL PROCEEDING.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-45(c) reads as rewritten:

"(c) Any sworn law enforcement officer with jurisdiction is authorized to seize the certificate of title, registration card, permit, license, or registration plate, if the officer has electronic or other notification from the Division that the item has been revoked or cancelled, or otherwise has probable cause to believe that the item has been revoked or cancelled under any law or statute, including G.S. 20-309(e). ~~If a criminal proceeding relating to the item is pending, the law enforcement officer in possession of that item shall retain the item pending the entry of a final judgment by a court with jurisdiction. If there is no criminal proceeding pending, the law enforcement officer shall deliver the item to the Division.~~"

SECTION 2. G.S. 20-45(d) reads as rewritten:

"(d) Any law enforcement officer who seizes a registration plate pursuant to this section shall report the seizure to the Division within 48 hours of the seizure. At the conclusion of any administrative, civil, or criminal procedure, the seizing agency shall return the item seized to the Division as soon as practicable. This return may be made to Division Headquarters, at any authorized mobile or permanent drivers license office, any Division registration plate office, or a contracted registration plate agency. This may be done by delivering the registration plate in person or by sending it to one of the locations stated above by State courier mail or by U.S. mail."

SECTION 3. This act is effective when it becomes law.