

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2005**

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**HOUSE BILL 2555**

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

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Sponsors: Representatives Folwell; Current, Faison, and Pate.

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Referred to: Rules, Calendar, and Operations of the House.

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May 25, 2006

A BILL TO BE ENTITLED

1 AN ACT TO REQUIRE THE RETURN OF A SEIZED LICENSE PLATE TO THE  
2 DIVISION OF MOTOR VEHICLES AT THE CONCLUSION OF ANY  
3 ADMINISTRATIVE, CIVIL, OR CRIMINAL PROCEEDING.  
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5 The General Assembly of North Carolina enacts:

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

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9 has electronic or other notification from the Division that the item has been revoked or  
10 cancelled, or otherwise has probable cause to believe that the item has been revoked or  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

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

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

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