

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 1390\*

Short Title: Branded Title Clarification.

(Public)

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Sponsors: Senators Hoyle, Cochrane, and Plyler.

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Referred to: Finance.

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May 27, 1998

A BILL TO BE ENTITLED

AN ACT TO CLARIFY THE REQUIREMENTS FOR INSPECTIONS AND  
ISSUANCE OF BRANDED TITLES FOR CERTAIN MOTOR VEHICLES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-71.3 reads as rewritten:

"§ 20-71.3. **Titles and registration cards to be branded.**

(a) Motor Vehicle certificates of title and registration cards issued pursuant to G.S. 20-57 ~~shall~~ may be branded.

As used ~~herein~~ in this section, "branded" means that the title and registration card shall contain a designation that discloses if the vehicle is classified as any of the following:

(1) ~~(a) Flood Vehicle, Vehicle.~~

(2) ~~(b) Non-U.S.A. Vehicle, Vehicle.~~

(3) ~~(c) Reconstructed Vehicle, Vehicle.~~

(4) ~~(d) Salvage Motor Vehicle, or Vehicle.~~

(5) ~~(e) Salvage Rebuilt Vehicle or Vehicle.~~

(6) Any other classification authorized by law.

(b) Any motor vehicle up to ~~six~~ five model years old damaged by collision or other ~~occurrence~~ occurrence, which requires a disclosure pursuant to G.S. 20-71.4, and which is to be retitled in this State shall be subject to preliminary and final inspections by the Enforcement Section of the ~~Division, and~~ Division. ~~the~~ The Division shall ~~refuse to not~~

1 issue a title to a vehicle ~~up to six model years old~~ which has not undergone a preliminary  
2 ~~inspection.~~ inspection required by this subsection.

3 A fee of ten dollars (\$10.00) shall be collected by the Enforcement Section of the  
4 Division before performing any inspection required by this section.

5 A vehicle that is not required to be inspected because of its age may be retitled upon  
6 application by the rebuilder applicant for an unbranded title pursuant to this subsection  
7 provided that an affidavit is submitted disclosing all of the following:

8 (1) The parts used or replaced.

9 (2) The major components replaced.

10 (3) The total cost of repairs.

11 which shall be the basis for the Division's issuance of the appropriate title.

12 These inspections serve as ~~an~~ antitheft measure ~~measures~~ and do not certify the safety  
13 or roadworthiness of a vehicle.

14 (c) Any motor vehicle which has been branded in another state shall be branded  
15 with the nearest applicable brand specified in this section, except that no junk vehicle or  
16 vehicle that has been branded junk in another state shall be titled or registered.

17 (d) A motor vehicle titled in another state and damaged by collision or other  
18 occurrence may be repaired and an unbranded title issued in North Carolina only if the  
19 cost of repairs, including parts and labor, does not exceed seventy-five percent (75%) of  
20 its fair market retail value.

21 The Division shall maintain these affidavits and make them available for review and  
22 copying by persons researching the salvage and repair history of the vehicle.

23 (e) Once a branded title has been issued for a motor vehicle, subsequent titles shall  
24 continue to reflect the branding until the title for that motor vehicle is either surrendered  
25 to the Division or cancelled by the Division.

26 (f) ~~The Commissioner~~ Division shall prepare necessary forms and may adopt  
27 ~~regulations~~ rules required to carry out the provisions of this ~~Part 3A.~~ Part. ~~The title shall~~  
28 ~~reflect the branding until surrendered to or cancelled by the Commissioner.~~ All title and title  
29 application forms shall contain a notice that indicates that the complete repair or salvage  
30 history of the vehicle may not be disclosed on the face of the title."

31 Section 2. This act is effective when it becomes law.