

N.C. Gen. Stat. § 20-54

Current through Session Laws 2023-105 of the 2023 Regular Session of the General Assembly, but does not reflect possible future codification directives from the Revisor of Statutes pursuant to G.S. 164-10.

General Statutes of North Carolina > Chapter 20. Motor Vehicles. (Arts. 1 — 18) > Article 3. Motor Vehicle Act of 1937. (Pts. 1 — 12) > Part 3. Registration and Certificates of Titles of Motor Vehicles. (§§ 20-50 — 20-71.1)

§ 20-54. Authority for refusing registration or certificate of title.

The Division shall refuse registration or issuance of a certificate of title or any transfer of registration upon any of the following grounds:

- (1) The application contains a false or fraudulent statement, the applicant has failed to furnish required information or reasonable additional information requested by the Division, or the applicant is not entitled to the issuance of a certificate of title or registration of the vehicle under this Article.
- (2) The vehicle is mechanically unfit or unsafe to be operated or moved upon the highways.
- (3) The Division has reasonable ground to believe that the vehicle is a stolen or embezzled vehicle, or that the granting of registration or the issuance of a certificate of title would constitute a fraud against the rightful owner or another person who has a valid lien against the vehicle.
- (4) The registration of the vehicle stands suspended or revoked for any reason as provided in the motor vehicle laws of this State, except in such cases to abide by the ignition interlock installation requirements of G.S. 20-17.8.
- (5) The required fee has not been paid, including any additional registration fees or taxes due pursuant to G.S. 20-91(c).
- (6) The vehicle is not in compliance with the inspection requirements of Part 2 of Article 3A of this Chapter or a civil penalty assessed as a result of the failure of the vehicle to comply with that Part has not been paid.
- (7) The Division has been notified that the motor vehicle has been seized by a law enforcement officer and is subject to forfeiture pursuant to G.S. 20-28.2, et seq., or any other statute. However, the Division shall not prevent the renewal of existing registration prior to an order of forfeiture.
- (8) The vehicle is a golf cart or utility vehicle.
- (9) The applicant motor carrier is subject to an order issued by the Federal Motor Carrier Safety Administration or the Division. The Division shall deny registration of a vehicle of a motor carrier if the applicant fails to disclose material information required, or if the applicant has made a materially false statement on the application, or if the applicant has applied as a subterfuge for the real party in interest who has been issued a federal out-of-service order, or if the applicant's business is operated, managed, or otherwise controlled by or affiliated with a person who is ineligible for registration, including the applicant entity, a relative, family member, corporate officer, or shareholder. The Division shall deny registration for a vehicle that has been assigned for safety to a commercial motor carrier who has been prohibited from operating by the Federal Motor Carrier Safety Administration or a carrier whose business is operated, managed, or otherwise controlled by or affiliated with a person who is ineligible for registration, including the owner, a relative, family member, corporate officer, or shareholder.

(10) The North Carolina Turnpike Authority has notified the Division that the owner of the vehicle has not paid the amount of tolls, fees, and civil penalties the owner owes the Authority for use of a Turnpike project.

(11) The Division has been notified (i) pursuant to G.S. 20-217(g2) that the owner of the vehicle has failed to pay any fine imposed pursuant to G.S. 20-217 or (ii) pursuant to G.S. 153A-246(b)(14) that the owner of the vehicle has failed to pay a civil penalty due under G.S. 153A-246.

(12) The owner of the vehicle has failed to pay any penalty or fee imposed pursuant to G.S. 20-311.

(13) The Division has been notified by the State Highway Patrol that the owner of the vehicle has failed to pay any civil penalty and fees imposed by the State Highway Patrol for a violation of Part 9 of Article 3 of this Chapter.

History

1937, c. 407, s. 19; 1975, c. 716, s. 5; 1993 (Reg. Sess., 1994), c. 754, s. 7; 1998-182, s. 9; 2001-356, s. 3; 2002-152, s. 1; 2007-164, s. 5; 2008-225, s. 7; 2009-319, s. 1; 2013-293, s. 4; 2015-241, s. 29.31(b); 2016-87, s. 4; 2017-188, s. 3; 2019-196, s. 2.

Annotations

Notes

Local Modification.

Moore: 1995, c. 13, s. 3, as amended by 2002-82, s. 2, as amended by 2005-11, s. 2; city of Conover: 2003-124, s. 1, as amended by 2004-58, s. 1, 2007-204, s. 1, 2007-259, s. 1, 2009-459, s. 5, 2011-171, s. 1, and 2013-172, s. 1; city of Lowell: 2003-124, s. 1, as amended by 2004-58, s. 1, 2007-204, s. 1, 2007-259, s. 1, 2009-459, s. 5, 2011-171, s. 1, and 2013-172, s. 1; town of Banner Elk: 2021-97, s. 1; town of Beech Mountain: 2003-124, s. 1, as amended by 2007-204, s. 1, 2007-259, s. 1, 2009-459, s. 5, 2011-171, s. 1, and 2013-172, s. 1; town of Caswell Beach: 2006-149, s. 1.1; town of Cramerton: 2003-124, s. 1, as amended by 2004-58, 2007-204, s. 1, 2007-259, 2009-459, 2011-171, s. 1, and 2013-172, s. 1; town of North Topsail Beach: 2003-124, s. 1, as amended by 2004-59, s. 1, 2007-204, s. 1, 2007-259, s. 1, 2009-459, s. 5, 2011-171, s. 1, and 2013-172, s. 1; town of Seven Devils: 2003-124, s. 1, as amended by 2004-58, s. 1, 2007-204, s. 1, 2007-259, s. 1, 2009-459, s. 5, 2011-171, s. 1, and 2013-172, s. 1; town of Spencer: 2021-97, s. 1.

Effect of Amendments.

Session Laws 2007-164, s. 5, effective July 1, 2007, added the language following “laws of this State” in subdivision (4); added the language following “not been paid” in subdivision (5); and made minor punctuation changes.

Session Laws 2008-225, s. 7, effective January 1, 2011, added subdivision (10).

Session Laws 2009-319, s. 1, effective July 17, 2009, deleted “emissions” preceding “inspection” in subdivision (6).

Session Laws 2013-293, s. 4, effective December 1, 2013, added subdivision (11). For applicability, see Editor’s note.

Session Laws 2015-241, s. 29.31(b), effective January 1, 2016, added subdivision (12). For applicability, see editor’s note.

Session Laws 2016-87, s. 4, effective October 1, 2016, added subdivision (13). See editor’s note for applicability.

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Session Laws 2017-188, s. 3, effective July 25, 2018, inserted the clause (i) designation and added (ii) in subdivision (11). For applicability, see editor's note.

Session Laws 2019-196, s. 2, effective November 12, 2019, rewrote subdivision (9), which formerly read: "The applicant motor carrier is subject to an order issued by the Federal Motor Carrier Safety Administration or the Division to cease all operations based on a finding that the continued operations of the motor carrier pose an 'imminent hazard' as defined in 49 C.F.R. § 386.72(b)(1)."

Research References & Practice Aids

Cross References.

As to fees, see G.S. 20-85.

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