

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 179

Short Title: Undercover MV Info. Confidential.

(Public)

Sponsors: Representatives Flaherty; Balmer and Grimmer.

Referred to: Judiciary III.

February 27, 1991

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT LICENSES AND REGISTRATIONS ISSUED TO LAW ENFORCEMENT AGENCIES FOR UNDERCOVER WORK SHALL BE CONFIDENTIAL AND RECORDS SHALL NOT BE PUBLIC RECORDS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-43(a) reads as rewritten:

"(a) All records of the Division, other than those declared by law to be confidential for the use of the Division, and other than those relating to drivers licenses and registration plates issued pursuant to G.S. 20-39(h), or any other provisions of the General Statutes, for the use of law enforcement agencies for unmarked vehicles and undercover police operations, shall be open to public inspection during office hours."

Sec. 2. G.S. 14-250 reads as rewritten:

**"§ 14-250. Publicly owned vehicle to be marked.**

It shall be the duty of the executive head of every department of the State government, and of any county, or of any institution or agency of the State, to have painted on every motor vehicle owned by the State, or by any county, or by any institution or agency of the State, a statement that such car belongs to the State or to some county, or institution or agency of the State. Provided, however, that no automobile used by any ~~county~~ State, county, or municipal officer or ~~county~~ official for the purpose of transporting, apprehending or arresting persons charged with violations of the laws of the State of North Carolina, or vehicles used in undercover police operations, shall be required to be lettered. Provided, further, that in lieu of the above method of marking motor vehicles owned by any agency or department of the State government, it shall be deemed a compliance with the law if such vehicles have

1 imprinted on the license tags thereof, above the license number, the words 'State Owned'  
2 and that such vehicles have affixed to the front thereof a plate with the statement 'State  
3 Owned'. Provided, further, that in lieu of the above method of marking vehicles owned  
4 by any county, it shall be deemed a compliance with the law if such vehicles have  
5 painted or affixed on the side thereof a circle not less than eight inches in diameter  
6 showing a replica of the seal of such county. Provided, further, that no county-owned  
7 motor vehicle used for transporting day or residential facility clients of area mental  
8 health, mental retardation, and substance abuse authorities established under Article 4 of  
9 Chapter 122C of the General Statutes shall be required to be lettered; provided, further,  
10 notwithstanding this sentence, each vehicle shall bear the distinctive permanent  
11 registration plate pursuant to G.S. 20-84. Provided, further, that in lieu of the above  
12 method of marking vehicles owned by the State and permanently assigned to members  
13 of the Council of State, it shall be deemed a compliance with the law if such vehicles  
14 have imprinted on the license tags thereof the license number assigned to the  
15 appropriate member of the Council of State pursuant to G.S. 20-81(4); a member of the  
16 Council of State shall not be assessed any registration fee if he elects to have a State-  
17 owned motor vehicle assigned to him designated by his official plate number.

18 The General Assembly may authorize exemptions from the provisions of this section  
19 for each fiscal year. ~~Each~~ With the exception of applications for registration plates  
20 issued pursuant to G.S. 20-39(h), each agency shall submit requests for private tags to  
21 the Division of Motor Fleet Management of the Department of Administration. The  
22 Division shall report the requests to the Appropriations Committees of the General  
23 Assembly by June 1. Law enforcement agencies shall apply for registration plates,  
24 other than those issued pursuant to G.S. 20-39(h), directly to the Commissioner of  
25 Motor Vehicles."

26 Sec. 3. This act is effective upon ratification.