

GENERAL ASSEMBLY OF NORTH CAROLINA
1993 SESSION

CHAPTER 364
HOUSE BILL 1274

AN ACT TO PROVIDE THAT THE EXEMPTION FROM THE SCRAP TIRE TAX FOR TIRES SOLD FOR PLACEMENT ON NEWLY MANUFACTURED VEHICLES SHALL APPLY UNIFORMLY REGARDLESS WHEN THE TIRES WERE SOLD.

The General Assembly of North Carolina enacts:

Section 1. (a) Effective January 1, 1990, former G.S. 130A-309.54(a), repealed by Section 3 of Chapter 221 of the 1991 Session Laws, is amended by adding at the end a new sentence to read: "This fee does not apply to tires sold for placement on newly manufactured vehicles."

(b) This section expires June 30, 1991.

Sec. 2. Effective July 1, 1991, Section 2 of Chapter 867 of the 1991 Session Laws reads as rewritten:

"Sec. 2. This act ~~becomes effective July 15, 1992, and applies to tires sold on or after that date.~~ is effective upon ratification and applies retroactively to tires sold on or after July 1, 1991."

Sec. 3. This act is effective upon ratification. Section 1 of this act applies retroactively to tires sold on or after January 1, 1990, and expires June 30, 1991. Section 2 of this act applies retroactively to tires sold on or after July 1, 1991. Notwithstanding the time limitations of G.S. 105-266 and G.S. 105-266.1, a refund of an overpayment of a tax levied on tires sold for placement on newly manufactured vehicles under former G.S. 130A-309.54(a)(repealed) or under G.S. 105-187.16 is timely if a demand for the refund is filed on or before July 1, 1994. Notwithstanding G.S. 105-266, an interest rate of five percent (5%) per year applies to refunds of tax paid on new tires that were purchased before July 15, 1992, and are exempted from the scrap tire tax by this act.

In the General Assembly read three times and ratified this the 16th day of July, 1993.

Dennis A. Wicker
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives