

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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SENATE BILL 63

Short Title: Board of Motor Vehicles/Authority Study. (Public)

Sponsors: Senators Rabon, Sawyer, and Lazzara (Primary Sponsors).

Referred to: Rules and Operations of the Senate

February 10, 2025

A BILL TO BE ENTITLED
AN ACT TO ESTABLISH THE BOARD OF MOTOR VEHICLES AND TO STUDY THE
CREATION OF THE MOTOR VEHICLE AUTHORITY.
The General Assembly of North Carolina enacts:

PART I. ESTABLISH BOARD OF MOTOR VEHICLES

SECTION 1.(a) G.S. 20-2(a) reads as rewritten:

"(a) Commissioner and Assistants. – The Division of Motor Vehicles shall be administered by the Commissioner of Motor Vehicles, who shall be appointed by and serve at the pleasure of the ~~Secretary of the Department of Transportation~~ Board of Motor Vehicles. The Commissioner shall be paid an annual salary to be fixed by the Governor and allowed traveling expenses as allowed by law.

In any action, proceeding, or matter of any kind, to which the Commissioner of Motor Vehicles is a party or in which he may have an interest, all pleadings, legal notices, proof of claim, warrants for collection, certificates of tax liability, executions, and other legal documents, may be signed and verified on behalf of the Commissioner of Motor Vehicles by the Assistant Commissioner of Motor Vehicles or by any director or assistant director of any section of the Division of Motor Vehicles or by any other agent or employee of the Division so authorized by the Commissioner of Motor Vehicles."

SECTION 1.(b) Article 1 of Chapter 20 of the General Statutes is amended by adding a new section to read:

"§ 20-2.1. Board of Motor Vehicles.

(a) There is hereby created a Board of Motor Vehicles. The Board is responsible for appointing the Commissioner of Motor Vehicles and overseeing the organization and administration of the Division of Motor Vehicles by the Commissioner.

(b) The Board consists of nine voting members as follows:

(1) The Secretary of Transportation or the Secretary's designee.

(2) The Secretary of the Department of Information Technology or the Secretary's designee.

(3) The Commander of the State Highway Patrol or the Commander's designee.

(4) Two members appointed by the Governor.

(5) Two members appointed by the General Assembly upon recommendation of the President Pro Tempore of the Senate.

(6) Two members appointed by the General Assembly upon recommendation of the Speaker of the House of Representatives.



(c) The terms of one member of the Board each appointed under subdivisions (4), (5), and (6) of subsection (b) of this section shall begin on July 1, 2025, and expire on June 30, 2027. The terms of one member of the Board each appointed under subdivisions (4), (5), and (6) of subsection (b) of this section shall begin on July 1, 2025, and expire on June 30, 2029. Thereafter, all Board members appointed under subdivisions (4) through (6) of subsection (b) of this section shall be appointed for four-year terms beginning on July 1 of the year that the previous term expired.

(d) Board members appointed under subdivisions (4) through (6) of subsection (b) of this section shall continue to serve until their successors are appointed. The appointing authority may appoint a member to serve out the unexpired term of a Board member appointed by that appointing authority. The appointing authority may remove a member of the Board appointed by that appointing authority for any cause the appointing authority finds sufficient.

(e) The Board shall meet at least quarterly and may meet at any time at the call of the chairperson or any three members of the Board. All clerical and other services required by the Board shall be supplied by the Secretary of the Department of Transportation.

(f) The Board shall select a chairperson and may select other officers from among its membership. The Board shall have the power to adopt and enforce rules and regulations for the government of its business and proceedings. A majority of the Board shall constitute a quorum for the transaction of business. Board members shall receive per diem and necessary travel and subsistence expenses in accordance with G.S. 138-5 and G.S. 138-6, as appropriate."

SECTION 1.(c) G.S. 20-3 reads as rewritten:

"§ 20-3. Organization of Division.

The Commissioner, subject to the approval of the Secretary of the Department of Transportation, shall organize and administer the Division in such manner as ~~he~~the Commissioner may deem necessary to conduct the work of the Division."

PART II. STUDY CREATION OF MOTOR VEHICLE AUTHORITY

SECTION 2.(a) It is the intent of the General Assembly to consider the creation of the Motor Vehicle Authority as a successor agency to the Division of Motor Vehicles of the North Carolina Department of Transportation. The proposed Authority would assume the legal authority currently exercised by the Division and, at minimum, meet all of the following criteria:

- (1) Be composed of a nine-member board, with five members appointed by the General Assembly and four members appointed by the Governor.
- (2) Appoint a chair, vice-chair, secretary, and treasurer.
- (3) Be responsible for (i) hiring the Commissioner of Motor Vehicles and (ii) setting the Commissioner's salary.
- (4) Have the authority to replace the Commissioner.

SECTION 2.(b) The Department of Transportation, in consultation with the Department of Information Technology and the State Highway Patrol, shall study and provide a plan for implementing the creation of the Motor Vehicle Authority described in subsection (a) of this section. The study and plan shall address (i) the feasibility of creating the Authority, (ii) all statutory changes necessary to create the Authority and transfer the Division's responsibilities to the Authority, (iii) an estimated time line for the creation of the Authority as a successor agency, including steps required to facilitate the succession, and (iv) any other issue deemed relevant to the study and implementation plan.

SECTION 2.(c) The Department of Transportation shall report the findings of the study required by this section, including the proposed implementation plan and any associated legislative recommendations, to the North Carolina General Assembly, the chairs of the Joint Legislative Transportation Oversight Committee, and the Fiscal Research Division no later than January 1, 2026.

PART III. EFFECTIVE DATE

SECTION 3. Part I of this act becomes effective July 1, 2025. The remainder of this act is effective when it becomes law.