

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

SESSION LAW 2016-74  
HOUSE BILL 594

AN ACT TO MODIFY THE REQUIREMENTS FOR MOTOR VEHICLE DEALER RECORDS RETENTION, AVAILABILITY FOR INSPECTION BY THE DIVISION OF MOTOR VEHICLES, AND FORMAT.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 20-297 reads as rewritten:

**"§ 20-297. Retention and inspection of certain records.**

(a) Vehicles. – A dealer must keep a record of all vehicles received by the dealer and all vehicles sold by the dealer. The records must contain the information that the Division ~~requires.~~ requires and be made available for inspection by the Division within a reasonable period of time after being requested by the Division. A dealer may ~~keep~~ satisfy the record-keeping requirements contained in this subsection either by (i) ~~keeping and maintain~~ written or paper records at the dealership facility where the vehicles were sold or at another established office located site within this State provided that the location and the name of a designated contact agent are provided to the Division and the records can be made available for inspection by the Division within a reasonable period of time after being requested by the Division. or (ii) maintaining electronic copies of the records required by this subsection, provided that the Division shall have access to these electronic records from a location within this State. For purposes of this section, the location where dealership written or electronic records are kept and maintained may be owned and operated by a party other than the dealer.

(b) Inspection. – The Division may inspect the pertinent books, records, letters, and contracts of a licensee relating to any written complaint made to the Division against the licensee.

(c) Records Format. – Any record required to be kept and maintained under this section may be converted to electronic form and retained by a dealer in electronic form without retention of the original or any copies of the record in paper or other nonelectronic form."

**SECTION 2.** The Department of Transportation, Division of Motor Vehicles, shall adopt rules consistent with the provisions of this act. Rules adopted pursuant to this section shall not be subject to G.S. 150B-19.1(e), 150B-19.1(f), and 150B-21.4.



**SECTION 3.** This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 29<sup>th</sup> day of June,  
2016.

s/ Harry Brown  
Presiding Officer of the Senate

s/ Tim Moore  
Speaker of the House of Representatives

s/ Pat McCrory  
Governor

Approved 9:03 p.m. this 30<sup>th</sup> day of June, 2016