

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 407  
Committee Substitute Favorable 6/27/89

Short Title: Gov't Leased MV-Insurance.

(Public)

Sponsors:

Referred to:

March 1, 1989

A BILL TO BE ENTITLED

AN ACT TO EXEMPT MOTOR VEHICLES LEASED BY THE FEDERAL OR STATE GOVERNMENT AND LOCAL POLITICAL SUBDIVISIONS FROM THE REQUIREMENTS OF THE VEHICLE FINANCIAL RESPONSIBILITY ACT OF 1957 AND THE MOTOR VEHICLE SAFETY AND FINANCIAL RESPONSIBILITY ACT OF 1953.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-318 reads as rewritten:

"§ 20-318. Federal, State and political subdivision vehicles excepted.

This Article does not apply to any motor vehicle owned or leased by the State of North Carolina or by a political subdivision of the State, nor to any motor vehicle owned or leased by the federal government."

Sec. 2. G.S. 20-279.32 reads as rewritten:

"§ 20-279.32. Exceptions.

This Article, except its provisions as to the filing of proof of financial responsibility by a common carrier and its drivers, does not apply to any vehicle operated under a permit or certificate of convenience or necessity issued by the North Carolina Utilities Commission, or by the Interstate Commerce Commission, if public liability and property damage insurance for the protection of the public is required to be carried upon it. This Article does not apply to any motor vehicle owned or leased by the State of North Carolina, nor does it apply to the operator of a vehicle owned or leased by the State of North Carolina who becomes involved in an accident while operating the state-owned or State-leased vehicle if the Commissioner determines that the vehicle at the

1 time of the accident was probably being operated in the course of the operator's  
2 employment as an employee or officer of the State. This Article does not apply to the  
3 operator of a vehicle owned or leased by a political subdivision of the State of North  
4 Carolina who becomes involved in an accident while operating such vehicle if the  
5 Commissioner determines that the vehicle at the time of the accident was probably  
6 being operated in the course of the operator's employment as an employee or officer of  
7 the subdivision providing that the Commissioner finds that the political subdivision has  
8 waived any immunity it has with respect to such accidents and has in force an insurance  
9 policy or other method of satisfying claims which may arise out of the accident. This  
10 Article does not apply to any motor vehicle owned or leased by the federal government,  
11 nor does it apply to the operator of a motor vehicle owned or leased by the federal  
12 government who becomes involved in an accident while operating the government-  
13 owned or government-leased vehicle if the Commissioner determines that the vehicle at  
14 the time of the accident was probably being operated in the course of the operator's  
15 employment as an employee or officer of the federal government."

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