

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 758  
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Short Title: Judicial and Special License Plates.

(Public)

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Sponsors:

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Referred to:

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April 4, 1989

A BILL TO BE ENTITLED

1 AN ACT TO CLARIFY THE DESIGNATION OF CERTAIN OFFICIAL LICENSE  
2 PLATES ISSUABLE ON REQUEST TO THE JUDICIARY, TO SET A  
3 UNIFORM RENEWAL DATE FOR SPECIAL REGISTRATION PLATES  
4 ISSUED TO AMATEUR RADIO OPERATORS, AND TO AUTHORIZE THE  
5 USE OF A HANDICAPPED IDENTIFICATION CARD FOR VEHICLES THAT  
6 TRANSPORT THE HANDICAPPED.  
7

8 The General Assembly of North Carolina enacts:

9 Section 1. G.S. 20-81(3) reads as rewritten:

10 "(3) Judicial. – Official plates issued to the judiciary shall be issued as  
11 follows:

12 a. Appellate division. – Official plates that shall be issued upon  
13 request to the Chief Justice and Associate Justices of the  
14 Supreme Court of North Carolina and the Chief Judge and  
15 Associate Judges of North Carolina Court of Appeals shall bear  
16 the letter 'J' followed by numerical designation from 1 through  
17 19. The Chief Justice upon request shall be issued the plate  
18 bearing number 1 and the remaining plates shall first be issued  
19 upon request to the Associate Justices on the basis of seniority.  
20 The Chief Judge shall be issued upon request the next such

1 judicial plate and the remaining plates shall be issued upon  
2 request to the Associate Judges on the basis of seniority. Retired  
3 members of the Supreme Court and the Court of Appeals shall  
4 receive an official plate upon request similar in every respect to  
5 the plate issued to the regular justices and judges bearing the  
6 numerical designation of his or her position of seniority at the  
7 time of retirement except that the numerical designation shall be  
8 followed with the letter 'X'. Official plate J-20 may be issued  
9 upon request to the Director of the Administrative Office of the  
10 Courts.

- 11 b. Superior court. – Official plates shall be issued to the various  
12 senior resident superior court judges upon request and shall bear  
13 the letter 'J' followed by a numerical designation which for a  
14 district as defined in G.S. 7A-41.1(a) shall be equal to the sum  
15 of the numerical designation of their respective judicial districts  
16 plus 20. Where there is more than one regular resident superior  
17 court judge for such a district, official plates shall upon request  
18 be issued to other resident judges of the district similar to the  
19 official plate to be issued upon request to the senior resident  
20 superior court judge of the district except the numerical  
21 designation on each subsequent plate shall be followed by a  
22 hyphen and a letter of the alphabet beginning with the letter 'A',  
23 which shall be indicative of the recipient's position as to  
24 seniority. The numerical designation for the senior resident  
25 superior court judge for a set of districts as defined in G.S. 7A-  
26 41.1(a) shall be equal to the sum of 20 plus the numerical  
27 designation which the districts in the set have in common and  
28 shall be followed by no letter, and the numerical designation for  
29 each other regular resident superior court judge of the set of  
30 districts shall have the same numerical designation as that of the  
31 senior resident superior court judge and shall be followed by a  
32 hyphen and a letter of the alphabet beginning with the letter 'A'  
33 which shall indicate the recipient's position as to seniority  
34 among all of the regular resident superior court judges of the set  
35 of districts and shall not necessarily correspond with the letter  
36 designation of the superior court district established under G.S.  
37 7A-41 for which he is a resident judge, provided that in the set  
38 of districts 7B and 7C, the senior resident superior court judge  
39 for that set shall be issued on request an official plate bearing  
40 the designation ~~27BC-27C~~ following the letter 'J', and all other  
41 resident superior court judges of the set shall be issued on  
42 request an official plate bearing that designation followed by a  
43 ~~hyphen and a letter of the alphabet beginning with the letter 'A'~~  
44 ~~indicating that judge's position as to seniority among all the regular~~

~~resident superior court judges of that set~~ the letter 'B'. Special judges and emergency judges of the superior court shall be issued an official plate bearing the letter 'J' with a numerical designation as designated by the Administrative Office of the Courts with the approval of the Chief Justice of the Supreme Court of North Carolina. Retired judges shall be issued a similar plate except that the numerical designation shall be followed by the letter 'X'.

- c. North Carolina district court judges. – An official plate shall be issued upon request to each chief judge of the district courts of North Carolina which shall bear the letter 'J' followed by a numerical designation equal to the sum of the numerical designation of their respective district court districts plus 100 and all other judges of the district courts serving within the same district court district shall, upon request, be issued an official plate bearing the same letter and numerical designation as appears on the official plate issued to the chief district judge of the district court district except that on each subsequent official plate issued within a district, the numerical designation shall be followed by a letter of the alphabet beginning with the letter 'A' which shall be indicative of the recipient's position as to seniority. Retired judges shall be issued a similar plate except that the numerical designation shall be followed by the letter 'X'.
- c1. Clerks of Superior Court. – Official plates shall be issued upon request to the various clerks of superior court which plate shall bear the words 'Clerk Superior Court', followed by the numerical designation of their respective counties in alphabetical order, beginning with 100 and preceded by the letter 'C'.
- d. District attorneys. – Official plates shall be issued upon request to the various district attorneys which plates shall bear the letters 'DA', followed by a numerical designation indicative of their prosecutorial district.
- e. United States judges. – Official plates shall be issued upon request to Justices of the United States Supreme Court, Judges of the United States Circuit Court of Appeals and to the District Judges of the United States District Courts residing in North Carolina and shall bear the words 'U.S. Judge', followed by a numerical designation beginning with the number '1' which shall be indicative of the judge's seniority position as to the date he began continuous service as a United States Judge as designated by the Secretary of State. Retired judges and judges who have taken senior status shall be issued similar plates

1                   except that the numerical designation shall be based upon the  
2                   date of such retirement or assumption of senior status and shall  
3                   follow the numerical designation of active justices and judges.

4                   f.       United States attorneys. – Official plates shall be issued upon  
5                   request to the United States Attorneys, which plates shall bear  
6                   the letters, 'U.S. Attorney', followed by a numerical designation  
7                   indicative of their district, with 1 being the Eastern District, 2  
8                   being the Middle District, and 3 being the Western District.

9                   g.       United States marshals. – Official plates shall be issued upon  
10                  request to the United States Marshals, which plates shall bear  
11                  the letters, 'U.S. Marshal', followed by a numerical designation  
12                  indicative of their district, with 1 being the Eastern District, 2  
13                  being the Middle District, and 3 being the Western District."

14                  Sec. 2. G.S. 20-81.1 reads as rewritten:

15       **"§ 20-81.1. Special plates for amateur radio operators.**

16       (a)       Every owner of a motor vehicle who holds an unrevoked and unexpired  
17       amateur radio license of a renewable nature, issued by the Federal Communications  
18       Commission, shall, upon payment of the required registration and licensing fees for such  
19       ~~vehicle as required by law and an additional initial fee of ten dollars (\$10.00), fee and proof of~~  
20       purchase of a portable radio unit, be issued plates of similar size and design as the  
21       regular registration plates provided for by G.S. 20-63 or other provisions of law, upon  
22       which shall be inscribed, in lieu of the usual registration number, the official amateur  
23       radio call letters of such persons as assigned by the Federal Communications  
24       Commission. ~~No additional fee may be required to renew a special plate issued under this~~  
25       ~~section, upon proof of purchase of a portable radio unit by the vehicle owner. The fee for a~~  
26       special plate under this section is the fee that would otherwise be payable under G.S.  
27       20-87, plus an additional fee of ten dollars (\$10.00) when the plate is first issued and  
28       every fifth year after the plate is issued. Special registration plates issued under this  
29       section expire on June 30 of each year and are renewable through the use of annual  
30       renewal stickers in the same manner as regular registration plates are renewed.

31       (b)       Application for special registration plates shall be made on forms which shall  
32       be provided by the Division of Motor Vehicles and shall contain proof satisfactory to  
33       the Division that the applicant holds an unrevoked and unexpired official amateur radio  
34       license and shall state the call letters which have been assigned to the applicant. The  
35       special registration plates shall provide for call letters with numerical or letter suffixes  
36       so that an owner of more than one vehicle may have the call letters on each. ~~Applications~~  
37       ~~must be filed prior to 60 days before the day when regular registration plates for the year are~~  
38       ~~made available to motor vehicle owners.~~

39       (c)       If the amateur radio license of a person holding a special plate issued  
40       pursuant to this section shall be canceled or rescinded by the Federal Communications  
41       Commission, such person shall immediately return the special plates to the Division of  
42       Motor Vehicles and receive a regular plate at no charge. ~~Special registration plates issued~~  
43       ~~pursuant to this section shall be valid for five years and shall be renewed through the use of~~  
44       ~~annual renewal stickers in the same manner as regular registration plates are renewed."~~

1 Sec. 3. G.S. 20-37.6 reads as rewritten:

2 **"§ 20-37.6. Handicapped; drivers and passengers; parking privileges.**

3 (a) Any vehicle driven by or transporting a person who is handicapped as defined  
4 by G.S. 20-37.5 or transporting a person who is visually impaired as defined by G.S.  
5 111-11, as certified by a licensed ophthalmologist, optometrist, or Division of Services  
6 for the Blind, may be parked for unlimited periods in parking zones restricted as to the  
7 length of time parking is permitted. This provision has no application to those zones or  
8 during times in which the stopping, parking, or standing of all vehicles is prohibited or  
9 which are reserved for special types of vehicles. Any qualifying vehicle may park in  
10 spaces designated by aboveground markings as restricted to vehicles distinguished as  
11 being driven by or as transporting the handicapped or as transporting the visually  
12 impaired.

13 (b) Handicapped Car Owners; Distinguishing License Plates. – If the  
14 handicapped or visually impaired person is a registered owner of a vehicle, this vehicle  
15 may display a distinguishing license plate. This license plate shall be issued for the  
16 normal fee applicable to standard license plates. Any vehicle owner who qualifies for a  
17 distinguishing license plate may also receive ~~up to two distinguishing placards as provided~~  
18 ~~for in G.S. 20-37.6(e)~~ a combination of two distinguishing placards or identification cards  
19 under subsection (c).

20 (c) Handicapped Drivers and Passengers; Distinguishing Placards or  
21 Identification Cards. – A person who is either handicapped or visually impaired may  
22 apply for issuance of a distinguishing placard or a wallet-size identification card to be  
23 designed by the Division of Motor Vehicles of the Department of Transportation, in  
24 cooperation with the Office for the Handicapped of the Department of Insurance. Any  
25 organization which, as determined and certified by the State Vocational Rehabilitation  
26 Agency, regularly transports handicapped or visually impaired people, may also apply.  
27 ~~The A placard shall be at least 6 inches by 12 inches in size-size, and a placard or~~  
28 identification card shall contain all the information the Division of Motor Vehicles  
29 deems necessary for purpose of designation and enforcement. The A placard or  
30 identification card shall be displayed on the driver's side of the dashboard of a vehicle  
31 only when the vehicle is being driven by a duly licensed handicapped driver or is being  
32 used to transport handicapped or visually impaired passengers. When the placard or  
33 identification card is properly displayed, all parking rights and privileges extended to  
34 vehicles displaying a distinguishing license plate issued pursuant to G.S. 20-37.6(b)  
35 subsection (b) shall apply. The Division of Motor Vehicles shall establish procedures  
36 for the issuance of the distinguishing placards, placards and identification cards, and may  
37 charge a fee sufficient to pay the actual cost of issuance. Two A combination of two  
38 placards or identification cards may be issued to an applicant on request. Applicants  
39 who are organizations may receive one placard or identification card for each  
40 transporting vehicle.

41 (d) Designation of Parking Places. – Designation of parking spaces for the  
42 physically handicapped and the visually impaired on streets and in other areas,  
43 including public vehicular areas specified in G.S. 20-4.01(32), shall be by the use of  
44 sign R7-8 for multiple parking spaces as shown in the Manual on Uniform Traffic

1 Control Devices, or sign R7-8a for single parking spaces as shown in the N.C.  
2 Department of Transportation Supplement to the Manual on Uniform Traffic Control  
3 Devices. Nonconforming signs in use prior to July 1, 1979, shall not constitute a  
4 violation of G.S. 20-37.6(e)(4) during their useful lives, which shall not be extended by  
5 other means than normal maintenance. These nonconforming signs shall be removed  
6 and be replaced with conforming signs before January 1, 1989; provided that a sign or  
7 symbol painted on the surface of a parking space need not be removed when a  
8 conforming sign is erected.

9 (d1) Unique Properties. – The owner of private property which contains a public  
10 vehicular area, on which is to be designated one or more parking spaces for the  
11 physically handicapped and the visually impaired, may file a written certification, on a  
12 form supplied by the Department of Transportation, that signs conforming to G.S. 20-  
13 37.6(d) would not be compatible with the unique visual character of the property. Upon  
14 filing of the certification with the Department of Transportation, the owner may cause to  
15 be erected signs of materials and colors different from signs R7-8 and R7-8a. The signs  
16 shall be the same size and shape as signs R7-8 or R7-8a, as appropriate, with the same  
17 letters, words, numbers and symbols. Such signs shall be deemed to conform to G.S.  
18 20-37.6(d).

19 (e) Enforcement of Handicapped Parking Privileges. – It shall be unlawful:

- 20 (1) To park or leave standing any vehicle in a space designated with a sign  
21 pursuant to subsection (d) of this section for handicapped persons or  
22 visually impaired persons when the vehicle does not display the  
23 distinguishing license ~~plate or placard~~ plate, placard, or identification  
24 card as provided in this section or a disabled veteran registration plate  
25 issued pursuant to G.S. 20-81.4;
- 26 (2) For any person not qualifying for the rights and privileges extended to  
27 handicapped or visually impaired persons under this section to exercise  
28 or attempt to exercise such rights or privileges by the unauthorized use  
29 of a distinguishing license ~~plate or placard~~ plate, placard, or  
30 identification card issued pursuant to the provisions of this section;
- 31 (3) To park or leave standing any vehicle so as to obstruct a curb ramp or  
32 curb cut for handicapped persons as provided for by the North  
33 Carolina Building Code or as designated in G.S. 136-44.14;
- 34 (4) For those responsible for designating parking spaces for the  
35 handicapped to erect or otherwise use signs not conforming to G.S. 20-  
36 37.6(d) for this purpose.

37 This section is enforceable in all public vehicular areas specified in G.S. 20-  
38 4.01(32).

39 (f) Penalties for violation.

- 40 (1) A violation of G.S. 20-37.6(e)(1), (2) or (3) is an infraction which  
41 carries a penalty of twenty-five dollars (\$25.00) and whenever  
42 evidence shall be presented in any court of the fact that any  
43 automobile, truck, or other vehicle was found to be parked in a  
44 properly designated handicapped parking space in violation of the

1 provisions of this section, it shall be **prima facie** evidence in any court  
2 in the State of North Carolina that the vehicle was parked and left in  
3 the space by the person, firm, or corporation in whose name the  
4 vehicle is registered and licensed according to the records of the  
5 Division of Motor Vehicles. No evidence tendered or presented under  
6 this authorization shall be admissible or competent in any respect in  
7 any court or tribunal except in cases concerned solely with a violation  
8 of this section.

9 (2) A violation of G.S. 20-37.6(e)(4) is an infraction which carries a  
10 penalty of fifty dollars (\$50.00) and whenever evidence shall be  
11 presented in any court of the fact that any such nonconforming sign or  
12 markings are being used it shall be **prima facie** evidence in any court  
13 in the State of North Carolina that the person, firm, or corporation with  
14 ownership of the property where said nonconforming signs or  
15 markings are located is ~~reponsible~~ responsible for violation of this  
16 section. Building inspectors and others responsible for North Carolina  
17 State Building Code violations specified in G.S. 143-138(h) where  
18 such signs are required by the Handicapped Section of the North  
19 Carolina State Building Code, may cause a citation to be issued for this  
20 violation and may also initiate any appropriate action or proceeding to  
21 correct such violation.

22 (3) A law-enforcement officer, including a security officer who has  
23 authority to enforce laws on the property of his employer as specified  
24 in Chapter 74A, may cause a vehicle parked in violation of this section  
25 to be towed; and such officer shall be a legal possessor as provided in  
26 G.S. 20-161(d)(2). This law-enforcement officer, or security officer,  
27 shall not be held to answer in any civil or criminal action to any owner,  
28 lienholder or other person legally entitled to the possession of any  
29 motor vehicle removed from such space pursuant to this section,  
30 except where such motor vehicle is willfully, maliciously, or  
31 negligently damaged in the removal from aforesaid space to place of  
32 storage.

33 (4) Notwithstanding any other provision of the General Statutes, the  
34 provisions of this section relative to handicapped parking shall be  
35 enforced by State, county, city and other municipal authorities in their  
36 respective jurisdictions whether on public or private property in the  
37 same manner as is used to enforce other parking laws and ordinances  
38 by said agencies."

39 Sec. 4. This act is effective upon ratification. Section 1 applies to each  
40 affected person on the date of the first subsequent regular renewal of the person's  
41 existing plate, or upon the date of the subsequent regular issuance of the person's first  
42 plate. Section 2 applies to special plates issued for the 1990 registration year and  
43 following years.