

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 1094  
Second Edition Engrossed 5/13/93

Short Title: Delivery of Motor Vehicles.

(Public)

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Sponsors: Representatives Cole; and Bowman.

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Referred to: Judiciary II.

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April 19, 1993

1                                   A BILL TO BE ENTITLED  
2 AN ACT TO CLARIFY THE LAW RELATING TO THE CONDITIONAL  
3 DELIVERY OF MOTOR VEHICLES AND TO PROVIDE FOR INSURANCE  
4 COVERAGE FOR VEHICLES ADDED TO EXISTING POLICIES ON  
5 NONBUSINESS DAYS.

6 The General Assembly of North Carolina enacts:

7           Section 1. Chapter 20 of the General Statutes is amended by adding a new  
8 section to read:

9 **"§ 20-75.1. Conditional delivery of motor vehicles.**

10       Notwithstanding G.S. 20-52.1, 20-72, and 20-75, nothing contained in those sections  
11 prohibits a dealer from entering into a contract with any purchaser for the sale of a  
12 vehicle and delivering the vehicle to the purchaser under terms by which the dealer's  
13 obligation to execute the manufacturer's certificate of origin or the certificate of title is  
14 conditioned on the purchaser obtaining financing for the purchase of the vehicle.  
15 Liability, collision, and comprehensive insurance on a vehicle sold and delivered  
16 conditioned on the purchaser obtaining financing for the purchaser of the vehicle shall  
17 be covered by the dealer's insurance policy until such financing is finally approved and  
18 execution of the manufacturer's certificate of origin or execution of the certificate of  
19 title. Upon final approval and execution of the manufacturer's certificate of origin or the  
20 certificate of title, and upon the purchaser having liability insurance on another vehicle,  
21 the delivered vehicle shall be covered by the purchaser's insurance policy beginning at  
22 the time of final financial approval and execution of the manufacturer's certificate of  
23 origin or the certificate of title. The dealer shall notify the insurance agency servicing

1 the purchaser's insurance policy or the purchaser's insurer of the purchase on the day of,  
2 or if the insurance agency or insurer is not open for business, on the next business day  
3 following approval of the purchaser's financing and execution of the manufacturer's  
4 certificate of origin or the certificate of title. This subsection is in addition to any other  
5 provisions of law or insurance policies and does not repeal or supersede those  
6 provisions.

7           Sec. 2. This act becomes effective October 1, 1993.