
This act summary is provided for the convenience of the public and members of the General Assembly. It is intended to provide a general summary of the act and may not be exhaustive. It has been prepared by the staff of the Office of Legislative Council without input from members of the General Assembly. It is not intended to aid in the interpretation of legislation or to serve as a source of legislative intent.

Act No. 206 (S.272). Transportation; motor vehicles

An act relating to miscellaneous changes to laws related to motor vehicles

This act:

- Special Plates and Placards for Persons with Disabilities. Authorizes the Commissioner of DMV to issue a set of special registration plates to the parent or guardian of a person with a permanent disability.
- Eliminating Requirements to Return License Plates. Eliminates the requirement that a motor vehicle registrant return license plates to the Commissioner of DMV when the registration is cancelled following total loss of the vehicle and when the registration is cancelled because the registration will not be used.
- Veterans; Fee Exemptions. Updates existing statutes that grant certain fee and tax exemptions to veterans who receive financial assistance from the U.S. Department of Veterans Affairs to acquire a motor vehicle in order to reflect the current structure of the federal program that provides such financial assistance.
- Total Abstinence Program. Provides that a person who submits an application for reinstatement of his or license under the Total Abstinence Program must include in the application authorization to undergo an examination if it is approved as a preliminary screening test under the State's DUI law, and makes other miscellaneous changes to the language that governs the Program.
- Means of Transmitting Fuel Tax Payments. Phases in requirements that diesel tax and motor fuel payments be transmitted to the Department of Motor Vehicles by means of an electronic funds transfer.
- Motor Vehicle Purchase and Use Tax. Adds siblings to the class of family members to whom a donor may transfer a motor vehicle without triggering a motor vehicle purchase and use tax obligation, and adds clarifying language to codify existing practice governing transfers following death and transfers that arise by operation of the law governing intestacy.
- New Motor Vehicle Arbitration. Amends the definition of "manufacturer" in the State's Lemon Law to specify that, with one exception, in the case of the portion of recreation vehicles (RVs) subject to the Lemon Law, the

manufacturer is the final stage assembler of the completed RV, and provides that with certain exceptions, a provision or agreement that purports to waive, limit, or disclaim a consumer's Lemon Law rights—or that purports to require a consumer not to disclose the terms of the provision or agreement—is void as contrary to public policy.

- Three-wheeled Motorcycles. Requires the Commissioner of DMV to offer operators of three-wheeled motorcycles the opportunity to obtain a motorcycle endorsement and a motorcycle learner's permit that authorize the operation of three-wheeled motorcycles only, and requires the Commissioner to maintain a list of approved in-state and out-of-state motorcycle rider training courses, successful completion of which will satisfy the skill test requirement for obtaining a motorcycle endorsement.
- Dealer Records of Sales. Repeals a requirement that motor vehicle and motorboat dealers record on DMV's "Dealer's Vehicle Record" form the "cash price" of a vehicle or motorboat that is sold or transferred.
- Motor Vehicle Inspections. Narrows the scope of DMV's authority with regard to the safety component of motor vehicle inspections; directs the Commissioner of DMV to file with the Secretary of State a proposed amended Inspection Manual rule that is consistent with the narrowed scope of rulemaking authority; directs the Commissioner to update the content of inspections conducted through the Automated Vehicle Inspection Program as soon as practicable to be consistent with the narrowed scope of safety inspections; gives the Commissioner authority to establish criteria to allow vehicles that would otherwise fail inspection as a result of the emissions component of the inspection to pass inspection; directs the Commission, in consultation with the Commissioner of Environmental Conservation, to develop a program of waivers related to the emissions component of the State's inspection program that is consistent with the Clean Air Act; and directs the Commissioners of DMV and of Environmental Conservation to send a written update to the Joint Transportation Oversight Committee on November 30, 2018 with regard to several inspection program-related issues.

Multiple effective dates, beginning on a retroactive effective date to January 1, 2017.