



State of North Carolina

ROY COOPER
GOVERNOR

October 23, 2024

EXECUTIVE ORDER NO. 323

MEETING THE NEEDS OF THE DIVISION OF MOTOR VEHICLES IN RESPONSE TO HURRICANE HELENE

WHEREAS, Hurricane Helene (“Helene”) entered the State of North Carolina on September 26, 2024 as a tropical storm; and

WHEREAS, Helene has inflicted significant damage on public and private property; and

WHEREAS, impacts from Helene constitute a State of Emergency, as defined in N.C. Gen. Stat. § 166A-19.3(19); and

WHEREAS, on September 25, 2024, the undersigned issued Executive Order No. 315, which declares a State of Emergency and provides for the health, safety, and welfare of residents and visitors located in North Carolina (“Declaration of a State of Emergency”); and

WHEREAS, Executive Order No. 315 invokes the Emergency Management Act, and authorizes the Governor to exercise the powers and duties set forth therein to direct and aid in the response to, recovery from, and mitigation against emergencies; and

WHEREAS, on September 26, 2024, the President of the United States issued an emergency declaration, FEMA-3617-EM, for the State of North Carolina, providing, in part, for Public Assistance-Category B, including direct federal assistance to the State; and

WHEREAS, on September 28, 2024, the President of the United States approved an Expedited Major Disaster Declaration, FEMA-4827-DR, for the State of North Carolina; and

WHEREAS, N.C. Gen. Stat. § 166A-19.10(b) authorizes and empowers the undersigned to make and amend orders, rules, and regulations within the limits of the authority conferred upon him in the North Carolina Emergency Management Act; and

WHEREAS, N.C. Gen. Stat. § 166A-19.30(b)(4) authorizes the undersigned, with the concurrence of the Council of State, to waive a provision of any regulation or ordinance of a State agency or a political subdivision which restricts the immediate relief of human suffering; and

WHEREAS, N.C. Gen. Stat. § 166A-19.30(b)(5) authorizes the undersigned to perform and exercise such functions, powers, and duties as are necessary to promote and secure the safety and protection of the civilian population; and

WHEREAS, pursuant to N.C. Gen. Stat. § 166A-19.10(b)(3), the undersigned may delegate any authority vested in him under the Emergency Management Act and provide for the subdelegation of that authority; and

WHEREAS, the execution of the undersigned's emergency powers under N.C. Gen. Stat. § 166A-19.30 is appropriate to ensure the public safety of residents and visitors located in North Carolina during the State of Emergency; and

WHEREAS, N.C. Const. art. I § 5(4) vests the Governor with the duty to take care that the laws be faithfully executed; and

WHEREAS, the Secretary of the North Carolina Department of Transportation ("the Secretary") is charged with overseeing and managing the Division of Motor Vehicles ("DMV"); and

WHEREAS, weather events associated with Helene will likely result in the total or near-total loss of thousands of vehicles; and

WHEREAS, the fees associated with application for a salvage title may be burdensome for many residents in areas affected by Helene; and

WHEREAS, weather events associated with Helene will likely result in the loss of credentials, difficulty accessing DMV services, and delay of services at DMV offices in the impacted counties; and

WHEREAS, the expeditious issuance of vital motorist records, identification, and documentation, the waiver of certain late fees and waiting periods, and the extension of certain licenses and requirements will help support long-term disaster recovery; and

WHEREAS, House Bill 149, N.C. Sess. Law 2024-51, (the "Disaster Recovery Act of 2024") which was signed into law October 10, 2024, provides that the undersigned shall waive certain fees assessed by DMV; and

WHEREAS, further action consistent with the Disaster Recovery Act of 2024 and the North Carolina Emergency Management Act is necessary to facilitate the expeditious issuance of vital motorist records, identification, and documentation and the waiver of certain late fees; and

WHEREAS, in order to provide for the rapid and orderly rehabilitation of persons and restoration of property, the undersigned has made the determination that it is in the public interest to suspend the collection of certain motor vehicle fees and provide relief to certain motorists.

NOW, THEREFORE, by the authority vested in me as Governor by the Constitution and the laws of the State of North Carolina, **IT IS ORDERED**:

Section 1. Suspension of Certain Fees

This Executive Order only relates to vehicles, as defined by N.C. Gen. Stat. § 20-4.01(49), which are owned in the North Carolina counties identified in the FEMA Major Disaster Declaration, FEMA-4827-DR ("Designated Counties").

The DMV Commissioner is authorized to suspend the assessment and collection of the following:

- A. Fees owed pursuant to N.C. Gen. Stat. §§ 20-85(a)(2), (4)-(6), (10) when processing applications for duplicate or corrected certificates of title, processing applications for duplicate registration cards, processing applications for salvage certificates of title, and issuing replacement registration plates and/or stickers for vehicles registered in Designated Counties.
- B. Fees owed pursuant to N.C. Gen. Stat. § 20-14 when issuing duplicate drivers' and commercial drivers' licenses for residents of Designated Counties.
- C. Fees owed pursuant to N.C. Gen. Stat. § 20-37.7(d) when issuing special identification cards for residents of Designated Counties.

- D. Fees owed pursuant to N.C. Gen. Stat. §§ 20-14, 20- 37.7(d) when issuing duplicate special identification cards for residents of Designated Counties.

A motorist who qualifies for relief under this Section is entitled to a refund of any fee identified in the above subsections (A)-(D) that was assessed and collected by DMV after September 26, 2024.

- E. Late fees owed pursuant to N.C. Gen. Stat. § 20-88.03, including those for DMV tags and dealers' licenses, by residents of Designated Counties.
- F. Late interest payments owed pursuant to N.C. Gen. Stat. § 105-330.4 by residents of Designated Counties.
- G. Late title fees owed pursuant to N.C. Gen. Stat. § 20-73(c) by residents of Designated Counties.
- H. Late fees and interest owed pursuant to N.C. Gen. Stat. § 20-88.03 in connection with limited registration plates and vehicle registration renewals for limited registrations that expired on or after September 30, 2024, within Designated Counties.

A motorist qualifying for relief under this Section is entitled to a refund of the late fees and/or interest identified in the above subsections (E)-(H) if the following apply:

- I. The late fees and/or interest arose from a vehicle with a registration that expired on or after August 31, 2024, and
- J. The late fees and/or interest were assessed and collected by the DMV after September 25, 2024.

Section 2. Suspension of Duplicate Title Waiting Period

The DMV Commissioner is authorized to suspend the waiting period on issuing duplicate titles for motor vehicles registered in Designated Counties after application pursuant to N.C. Gen. Stat. § 20-68(b).

Section 3. Extension of Certain Licenses

The DMV Commissioner is authorized to extend the following through December 31, 2024:

- A. Safety inspection mechanic licenses issued pursuant to N.C. Gen. Stat. § 20-183.4B, within Designated Counties.
- B. Emissions inspection mechanic licenses issued pursuant to N.C. Gen. Stat. § 20-183.4A, within Designated Counties.
- C. Motor vehicle dealer licenses and motor vehicle sales representative licenses issued pursuant to N.C. Gen. Stat. § 20-288, within Designated Counties.
- D. Motor vehicle dealer license plates issued pursuant to N.C. Gen. Stat. § 20-79, within Designated Counties.

Section 4. Suspension of Certain Requirements

The DMV Commissioner is authorized to suspend the following through December 31, 2024:

- A. State safety and emissions inspection requirements for vehicle registration renewals for vehicles registered within Designated Counties pursuant to N.C. Gen. Stat. § 20-66(j).
- B. Motor vehicle dealer education requirements for motor vehicle dealer license renewals

for motor vehicle dealers registered within Designated Counties pursuant to N.C. Gen. Stat. § 20-288(a1)(2).

Section 5. No Private Right of Action

This Executive Order is not intended to create, and does not create any individual right, privilege, or benefit, whether substantive or procedural, enforceable to law or in equity by any party against the State of North Carolina, its agencies, departments, political subdivisions, or other entities, or any officers, employees, or agents thereof, or any other person.

Section 6. Effect and Duration


This Executive Order is effective immediately, unless otherwise stated, and shall remain in effect through December 31, 2024, unless repealed, replaced, or rescinded by another applicable Executive Order.

IN WITNESS WHEREOF, I have hereunto signed my name and affixed the Great Seal of the State of North Carolina at the Capitol in the City of Raleigh, this 23rd day of October in the year of our Lord two thousand and twenty-four.



Roy Cooper
Governor

ATTEST:



Rodney S. Maddox
Chief Deputy Secretary of State

