



CHAPTER 20

ARTICLE 9A - MOTOR VEHICLE SAFETY AND FINANCIAL RESPONSIBILITY ACT OF 1953

N.C.G.S. § 20-279.2.

Commissioners to administer Article; appeal to court.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2018-5, s. 34.26(a) — second act in the lineage	21 September 2026, 02:30 UTC	212896d943b0fa4e521123b3 - 31e1411b2440cfc4b8249292 - e85a720b7e963fc7

§ 20-279.2(a)

Except for G.S. 20-279.21(d1), the Commissioner shall administer and enforce the provisions of this Article and may make rules and regulations necessary for its administration and shall provide for hearings upon request of persons aggrieved by orders or acts of the Commissioner under the provisions of this Article. The Commissioner of Insurance shall administer and enforce the provisions of G.S. 20-279.21(d1) and may make rules and regulations necessary for its administration.

§ 20-279.2(b)

Any person aggrieved by an order or act of the Commissioner of Motor Vehicles requiring a suspension or revocation of the person's license under the provisions of this Article, or requiring the posting of security as provided in this Article, or requiring the furnishing of proof of financial responsibility, may file a petition in the superior court of the county in which the petitioner resides for a review, and the commencement of the proceeding shall suspend the order or act of the Commissioner pending the final determination of the review. A copy of the petition shall be served upon the Commissioner, and the Commissioner shall have 20 days after service in which to file answer. The appeal shall be heard in said county by the judge holding court in said county or by the resident judge. At the hearing upon the petition the judge shall sit without the intervention of a jury and shall receive any evidence deemed by the judge to be relevant and proper. Except as otherwise provided in this section, upon the filing of the petition herein provided for, the procedure shall be the same as in civil actions.

The matter shall be heard de novo and the judge shall enter an order affirming the act or order of the Commissioner, or modifying same, including the amount of bond or security to be given by the petitioner. If the court is of the opinion that the petitioner was probably not guilty of negligence or that the negligence of the other party was probably the sole proximate cause of the collision, the judge shall reverse the act or order of the Commissioner. Either party may appeal from the order to the Supreme Court in the same manner as in other appeals from the superior court and the appeal shall have the effect of further staying the act or order of the Commissioner requiring a suspension or revocation of the petitioner's license.

No act, or order given or rendered in any proceeding hereunder shall be admitted or used in any other civil or criminal action.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
2 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

1953		1986		2018
TICK HEIGHT = ACTS IN THAT YEAR		DASHED = RECODIFICATION, NOT AMENDMENT		
Nº	YEAR	ACT	CHARACTER	
01	1953	c. 1300, s. 2	ENACTED	
02	2018	S.L. 2018-5, s. 34.26(a)	AMENDED	

APPARATUS II
1 AUTHORITY

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 20-279.21(d1)	(a)	"Except for"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 20-279.2 (2018).

PINPOINT

N.C. Gen. Stat. § 20-279.2(a) (2018).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE
(1953, c. 1300, s. 2; 2018-5, s. 34.26(a).)

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