



PERSONALIZED LICENSE PLATES

NCDOT POLICY

Policy # assigned by the Governance Office upon final approval.

Business Category: Division of Motor Vehicles (DMV)		Business Area: Vehicle Services
Approval Date: 07/27/2018	Last Revision Date: 07/01/2021	Next Review Date: 07/01//2023
Authority: N.C. General Statute § 20-79.4(b) (186), Walker v. Texas Division, Sons of Confederate Veterans, Inc., 135 S. Ct. 2239 (2015).		Select all that apply: <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Requires Board approval Click to type Board name. <input type="checkbox"/> Requires Federal Highways Administration (FHWA) approval <input type="checkbox"/> Requires other external agency approval: Click here to enter external agency name(s).
Definitions: <p>“Personalized License Plates” – shall mean standard and special license plates can be personalized for an additional fee and can be ordered online, by mail or at NC Division of Motor Vehicles license plate agency. Individuals are charged at the time of purchase and at each annual registration renewal.</p>		
Policy: State law in North Carolina allows motor vehicle owners to order personalized license plates. Personalized license plates must not be duplicative and may not: interfere with law enforcement efforts, disrupt peace or reflect a message that is “offensive to good taste and decency.” Supreme Court case law has deemed state-issued license plates as “government speech” and provides the issuing agency with broad discretion in refusing to issue a plate with an indecent word or meaning. <p>All personalized license plate requests must be reviewed for content prior to being issued. The Division must not issue a personalized license plate that will interfere with law enforcement efforts or that a reasonable person would, considering all reasonable context, find to be obscene, offensive, indecent, or conflicting with a current plate series.</p> <p>The NC Division of Motor Vehicles occasionally receives public complaints that an existing personalized license plate is indecent or offensive and should be recalled. Upon receiving such a complaint, the NC Division of Motor Vehicles shall expeditiously review the identified plate and determine whether the plate should be recalled.</p> <p>“In compliance with Title VI of the Civil Rights Act of 1964, 49 Code of Federal Regulations (CFR) part 21, 49 CFR part 303, DOT Order 1050.2A, and other pertinent related nondiscrimination authorities, the NC Division of Motor Vehicles shall make personalized license plates determinations without regard to race, color, national origin, limited English proficiency, income-level, sex, age, or disability.”</p>		
Scope: This policy applies to Vehicle Services staff and all personalized license plates issued by the NC Division of Motor Vehicles. The Special Plate Manager is responsible for implementing and enforcing this policy.		
Plate Issuance and Review <ul style="list-style-type: none"> Motor vehicle owners may order a personalized license plate via the NC Division’s website, at a North Carolina License Plate Agency, or upon completing the required form and submitting via mail. The Special Plate Manager or his/her designee(s) will review all personalized license plate requests and verify that the letter/number combination cannot hinder law enforcement efforts, be reasonably construed to reflect an obscene, offensive, indecent meaning nor conflict with another plate series being issued. 		

- When conducting a review, the reviewing employee will attempt to determine any possible words or common acronyms that the letter/number combination may represent. Employees shall draw upon training, logic, common knowledge, reference material and internet resources (e.g., Wikipedia, Urban Dictionary, etc.) when determining the intended meaning of a plate request. Employees shall carefully adhere to non-discriminatory assessments of special license plate requests.
- The Special Plate Unit will deny any plate message found to be indecent, offensive, or conflicting. The unit will also maintain a list of words, phrases, and acronyms that have been banned from personalized license plates due to their offensive nature.

Plate Review Upon Public Complaint

- The Special Plate Unit will receive, track, file, and respond to all public complaints or inquiries that contain allegations that an existing personalized license plate is indecent or offensive. The Special Plate Manager will report the final disposition of a personalized plate review to the original complainant(s).
- Upon receipt of a complaint, the Special Plate Manager will review the plate in question and will make an initial determination of whether the plate is indecent or offensive.
- If the Special Plate Manager determines that the plate is clearly not indecent or offensive, then the matter shall be closed, and no additional action shall be taken.
- If the Special Plate Manager determines that the plate could be reasonably interpreted to be indecent or offensive, then the unit will send a written request for explanation to the registered owner by certified mail. If the registered owner does not respond within 30 days of receipt of the letter, the plate will be immediately recalled, and the owner will be issued a non-personalized standard license plate at no charge.
- A response from a registered owner will be reviewed by a committee consisting of the Director of Vehicle Services, the Special Plate Manager, the Public Information Officer, and a designee from the Offices of NCDOT General Counsel, the NC Attorney General and NCDOT Civil Rights. The committee will meet, at a minimum, monthly to review all relevant information and submit a recommendation to the Commissioner as to whether the plate should be recalled. The Commissioner shall issue a final decision within 30 days of the registered owner's response.
- The committee shall be responsible for developing the standards against which personalized plate requests are reviewed and approve resources used by the Special Plate Unit.
- The unit shall maintain an accurate list of all past plate reviews to avoid duplicative evaluations of personalized plates that have previously been received, reviewed, and provided decisions.
- Any plate text that receives three (3) public complaints within 1 year will be reviewed by the Committee.
- If the plate text is allowed by the Committee, the applicant must submit a hold harmless statement stating the NC Division of Motor Vehicles is not responsible for any damages/injuries that may occur to any driver, passenger or to the vehicle as a result of the North Carolina plate being issued and displayed on the vehicle.



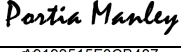

Related Documents: N/A

Revision History

Revision Date	Revision Number	Description

Policy Approval

Signing below certifies that the aforementioned policy has been vetted by the business area representative, applicable legal counsel (AG's office, etc.), and executive staff member(s).

Business Area Representative	DocuSigned by:  Signature	7/12/2021
Legal Counsel	DocuSigned by:  Signature	7/12/2021
Executive Staff Member	DocuSigned by:  Signature	7/13/2021
Executive Staff Member	DocuSigned by:  Signature	7/15/2021
Executive Staff Member	_____ Signature	_____ Date