

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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HOUSE BILL 1340

Short Title: Post Towing Procedures.

(Public)

Sponsors: Representative Mitchell.

Referred to: Judiciary II.

April 12, 2001

A BILL TO BE ENTITLED

AN ACT TO PROVIDE EXPEDITED POST TOWING PROCEDURES WHEN
VEHICLES ARE REMOVED FROM PRIVATE PROPERTY.

The General Assembly of North Carolina enacts:

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

"§ 20-219.4. Removal of unauthorized vehicles from private property.

(a) No motor vehicle shall be left for more than 48 hours upon the premises of
any private property without the consent of the owner or lessee of the private property.

(b) If the vehicle has a current North Carolina registration plate or registration,
the registered owner of any motor vehicle left unattended upon the premises of a private
property in violation of subsection (a) of this section shall be given notice within 24
hours by the owner or lessee of the private property or the person towing the vehicle
from the private property upon the written request of the owner or lessee. If the vehicle
does not have a current North Carolina registration plate or registration, notice shall be
sent to the last known address of the owner of the vehicle in the records of the Division.
If the vehicle is not registered in this State, but has a current registration from another
State, the vehicle registration officials of that state shall be contacted and notice shall be
given within 72 hours. Notice shall be given by telephone whenever feasible. The notice
given shall be by certified mail return receipt requested addressed to the registered
owner of the motor vehicle.

(c) The owner of the property or the tower may take the actions set forth in
subsection (d) of this section upon the expiration of three days from any of the
following:

(1) Receiving the return of the receipt showing that the addressee received
the notice and no further action was taken by the addressee.

(2) Refusal of the addressee to accept the mailed notice.

1 (3) Receiving the return receipt showing that the current address on file
2 with the Division or the vehicle registration agency of another state is
3 a false address.

4 (d) After receiving any of the information set forth in subsection (c) of this
5 section, the vehicle may be removed from the private property, or if the vehicle has
6 already been towed to a place of storage, the registered owner of the vehicle shall
7 become liable for the reasonable removal and storage charges and the vehicle subject to
8 the storage lien created by G.S. 44A-1, et seq. In the alternative, the property owner or
9 lessee or the tower may charge for storage, assert a lien, and dispose of the vehicle by
10 public or private sale."

11 **SECTION 2.** This act becomes effective October 1, 2001.