

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE BILL 69
Commerce Committee Substitute Adopted 5/12/09

Short Title: CCPS Wrecker Service Fee Rules.

(Public)

Sponsors:

Referred to:

February 5, 2009

A BILL TO BE ENTITLED

AN ACT TO PROHIBIT THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY FROM REGULATING THE FEE AMOUNT CHARGED BY A WRECKER SERVICE THAT PARTICIPATES IN THE ROTATION WRECKER SYSTEM FOR THE STATE HIGHWAY PATROL FOR TOWING, REMOVAL, RECOVERY, AND STORAGE.

The General Assembly of North Carolina enacts:

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

"§ 20-187.4. Wrecker service fees.

(a) Notwithstanding the authority of the Secretary of Crime Control and Public Safety to promulgate rules for the maintenance and operation of a Highway Patrol rotation wrecker system, the July 18, 2008, amendments to the Highway Patrol Rotation Wrecker Regulations, as published in 14A NCAC 09h.0321(10), are disallowed to the extent such amendments:

(1) Limit submission of initial applications and reapplications for inclusion in the Highway Patrol rotation wrecker list to an annual open enrollment period.

(2) Limit vehicle storage fees to the maximum allowed by G.S. 20-28.3.

(3) Require that towing and recovery fees be within fifteen percent (15%) of the median price charged within the applicable Highway Patrol Troop.

(b) Notwithstanding the limitations set out in subsection (a) of this section, the Highway Patrol may require that wrecker services, when responding to rotation wrecker calls, charge reasonable fees for services rendered and that any fee charged for rotation services not exceed the wrecker service's charges for nonrotation service calls that provide the same service, labor, and conditions."

SECTION 2. This act is effective when it becomes law.

