

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 298

Short Title: Parking Violation Citation Service.

(Public)

Sponsors: Representative Church.

Referred to: Judiciary.

February 21, 1989

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR SERVICE OF PARKING VIOLATION CITATIONS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 15A-302(d) reads as rewritten:

"(d) Service. – A copy of the citation shall be delivered to the person cited who may sign a receipt on the original which shall thereafter be filed with the clerk by the officer. If the cited person refuses to sign, the officer shall certify delivery of the citation by signing the original, which shall thereafter be filed with the clerk. Failure of the person cited to sign the citation shall not constitute grounds for his arrest or the requirement that he post a bond. When a citation is issued for a parking offense, a copy shall be delivered to the operator of a vehicle who is present at the time of service, or shall be delivered to the registered owner of the vehicle if the operator is not present by affixing a copy of the citation to the vehicle in a conspicuous place."

Sec. 2. G.S. 20-162.1(a) reads as rewritten:

"(a) Whenever evidence shall be presented in any court of the fact that any automobile, truck, or other vehicle was found upon any street, alley or other public place contrary to and in violation of the provisions of any statute or of any municipal or Department of Transportation ordinance limiting the time during which any such vehicle may be parked or prohibiting or otherwise regulating the parking of any such vehicle, it shall be **prima facie** evidence in any court in the State of North Carolina that such vehicle was parked and left upon such street, alley or public way or place by the person, firm or corporation in whose name such vehicle is then registered and licensed according to the records of the department or agency of the State of North Carolina, by whatever name designated, which is empowered to register such vehicles and to issue

1 licenses for their operation upon the streets and highways of this State; provided, that no
2 evidence tendered or presented under the authorization contained in this section shall be
3 admissible or competent in any respect in any court or tribunal, except in cases
4 concerned solely with violation of statutes or ordinances limiting, prohibiting or
5 otherwise regulating the parking of automobiles or other vehicles upon public streets,
6 highways, or other public places.

7 Any person found responsible for an infraction pursuant to this section shall be
8 subject to a penalty of not more than five dollars (\$5.00)."

9 Sec. 3. This act is effective upon ratification.