

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 192
Local Government Committee Substitute Adopted 3/15/89

Short Title: Regulate Junked Cars.

(Public)

Sponsors:

Referred to:

February 16, 1989

1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW COUNTIES AND MUNICIPALITIES TO REGULATE THE
3 ABANDONMENT OF JUNKED MOTOR VEHICLES.

4 The General Assembly of North Carolina enacts:

5 Section 1. G.S. 153A-132.2 reads as rewritten:

6 "**§ 153A-132.2. Regulation, restraint and prohibition of abandonment of junked
7 motor vehicles.**

8 (a) ~~Dare, Halifax, Wake, Iredell, Cabarrus, Moore, Alamance, Ashe, Bladen,~~
9 ~~Brunswick, Burke, Caldwell, Cumberland, Davie, Gaston, Guilford, Henderson,~~
10 ~~Jackson, Lincoln, New Hanover, Pender, Rockingham, Rowan, Surry, Wayne, Stokes,~~
11 ~~Alleghany, Carteret and Columbus Counties~~ A county may by ordinance regulate,
12 restrain or prohibit the abandonment of junked motor vehicles on public grounds and on
13 private property within the county's ordinance-making jurisdiction upon a finding that
14 such regulation, restraint or prohibition is necessary and desirable to promote or
15 enhance community, neighborhood or area appearance. The authority granted by this
16 section shall be supplemental to any other authority conferred upon counties. Nothing
17 in this section shall be construed to authorize a county to require the removal or disposal
18 of a motor vehicle kept or stored at a bona fide 'automobile graveyard' or 'junkyard' as
19 defined in G.S. 136-143.

20 For purposes of this section, the term 'junked motor vehicle' means a vehicle that
21 does not display a current license plate and that:

22 (1) Is partially dismantled or wrecked; or

1 (2) Cannot be self-propelled or moved in the manner in which it originally
2 was intended to move; or

3 (3) Is more than five years old and appears to be worth less than one
4 hundred dollars (\$100.00).

5 (b) Any ordinance adopted pursuant to this section shall include a prohibition
6 against removing or disposing of any motor vehicle that is used on a regular basis for
7 business or personal use."

8 Sec. 2. G.S. 160A-303.2 as amended by Chapter 3 of the 1989 Session Laws
9 reads as rewritten:

10 "**§ 160A-303.2. Regulation of abandonment of junked motor vehicles—~~in~~**
11 **~~municipalities in certain counties.~~**

12 (a) A municipality ~~in Dare, Alamance, Ashe, Bladen, Brunswick, Burke,~~
13 ~~Cabarrus, Caldwell, Cumberland, Davie, Gaston, Guilford, Halifax, Henderson, Iredell,~~
14 ~~Jackson, Lincoln, Mecklenburg, Moore, New Hanover, Pender, Rockingham, Rowan,~~
15 ~~Surry, Wake, Wayne, Stokes, Alleghany, Carteret, Columbus or Union Counties~~ may by
16 ordinance regulate, restrain or prohibit the abandonment of junked motor vehicles on
17 public grounds and on private property within the municipality's ordinance-making
18 jurisdiction upon a finding that such regulation, restraint or prohibition is necessary and
19 desirable to promote or enhance community, neighborhood or area appearance. The
20 authority granted by this section shall be supplemental to any other authority conferred
21 upon municipalities. Nothing in this section shall be construed to authorize a
22 municipality to require the removal or disposal of a motor vehicle kept or stored at a
23 bona fide 'automobile graveyard' or 'junkyard' as defined in G.S. 136-143.

24 For purposes of this section, the term 'junked motor vehicle' means a vehicle that
25 does not display a current license plate and that:

26 (1) Is partially dismantled or wrecked; or

27 (2) Cannot be self-propelled or moved in the manner in which it originally
28 was intended to move; or

29 (3) Is more than five years old and appears to be worth less than one
30 hundred dollars (\$100.00).

31 (b) Any ordinance adopted pursuant to this section shall include a prohibition
32 against removing or disposing of any motor vehicle that is used on a regular basis for
33 business or personal use."

34 Sec. 3. This act shall not affect the validity of any ordinance passed pursuant
35 to Sections 1 or 2 of this act prior to the effective date of this act.

36 Sec. 4. This act is effective upon ratification.