

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 357

Short Title: Auto Club Bond Limits Increased.

(Public)

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Sponsors: Senators Sands, Richardson, and Odom.

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Referred to: Transportation.

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March 7, 1989

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE AMOUNT OF BAIL BOND AN AUTOMOBILE CLUB MAY POST.

The General Assembly of North Carolina enacts:

Section 1. G.S. 109-40 reads as rewritten:

"§ 109-40. Authority for qualified surety companies to guarantee certain arrest bond certificates.

(a) Any domestic or foreign surety company which has qualified to transact business in this State may become a surety, by filing with the North Carolina Department of Insurance an undertaking to become surety, in an amount not to exceed one thousand five hundred dollars ~~(\$500.00)~~ (\$1,500) with respect to each guaranteed arrest bond certificate issued by an automobile club or association.

(b) The undertaking shall be in a form to be prescribed by the Department of Insurance and shall state:

(1) The name and address of the automobile club or clubs or automobile association or associations with respect to which the surety company undertakes to guarantee the arrest bond certificates.

(2) The unqualified obligation of the surety company to pay the fine or forfeiture, in an amount not to exceed one thousand five hundred dollars ~~(\$500.00)~~ (\$1,500) of any person who, after posting a guaranteed arrest bond certificate which the surety has undertaken to guarantee, fails to make the appearance for which the guaranteed arrest bond certificate was posted."

Sec. 2. G.S. 109-41(a) reads as rewritten:

1       "(a) Any guaranteed arrest bond certificate guaranteed by a surety company  
2 pursuant to G.S. 109-40, shall be accepted in lieu of cash bail or other bond in an  
3 amount not to exceed one thousand five hundred dollars ~~(\$500.00)~~ ~~(\$1,500)~~ as a bail  
4 bond, when signed by the person whose signature appears on the certificate, to  
5 guarantee the appearance of that person in any court in this State at the time set by the  
6 court when the person is arrested for the violation of any motor vehicle law of the State  
7 or any motor vehicle ordinance of any motor vehicle law of the State or any motor  
8 vehicle ordinance of any municipality of this State. The guaranteed arrest bond  
9 certificate shall not apply to, and shall not be accepted in lieu of cash bail or bond when  
10 the person has been arrested for any impaired driving offense or for any felony."

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