

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

1

HOUSE BILL 1508

Short Title: Greenville MV Towing Hearings.

(Local)

Sponsors: Representatives Aldridge; Mercer and Rogers.

Referred to: Local and Regional Government I.

May 26, 1998

A BILL TO BE ENTITLED

AN ACT TO PERMIT THE CITY OF GREENVILLE TO HOLD POST-TOWING HEARINGS FOR ABANDONED OR JUNKED VEHICLES REMOVED FROM PRIVATE PROPERTY WITHOUT THE OWNER'S REQUEST.

The General Assembly of North Carolina enacts:

Section 1. G.S. 160A-303.2(a3) reads as rewritten:

"(a3) Hearing Procedure. – Regardless of whether a city does its own removal and disposal of motor vehicles or contracts with another person to do so, the city shall provide a ~~prior~~ hearing procedure for the owner. For purposes of this subsection, the definitions in G.S. 20-219.9 apply.

(1) If the city operates in such a way that the person who tows the vehicle is responsible for collecting towing fees, all provisions of Article 7A, Chapter 20, apply.

(2) If the city operates in such a way that it is responsible for collecting towing fees, it shall:

a. Provide by contract or ordinance for a schedule of reasonable towing fees,

b. Provide a procedure for a prompt fair hearing to contest the towing,

c. Provide for an appeal to district court from that hearing,

- 1 d. Authorize release of the vehicle at any time after towing by the
2 posting of a bond or paying of the fees due, and
3 e. Provide a sale procedure similar to that provided in G.S. 44A-4,
4 44A-5, and 44A-6, except that no hearing in addition to the
5 probable cause hearing is required. If no one purchases the
6 vehicle at the sale and if the value of the vehicle is less than the
7 amount of the lien, the city may destroy it."
8 Section 2. This act applies to the City of Greenville only.
9 Section 3. This act is effective when it becomes law.