

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1999

HOUSE BILL 143
RATIFIED BILL

AN ACT TO INCREASE THE FINE RELATED TO UNLAWFUL PARKING IN
HANDICAPPED PARKING SPACES, AND TO REQUIRE THAT SIGNS BE
PLACED ON HANDICAPPED PARKING SPACES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-37.6(f) reads as rewritten:

"(f) Penalties for Violation. –

- (1) A violation of G.S. 20-37.6(e)(1), (2) or (3) is an infraction which carries a penalty of ~~at least fifty dollars (\$50.00) but not more than one hundred dollars (\$100.00)~~ at least one hundred dollars (\$100.00) but not more than two hundred fifty dollars (\$250.00) and whenever evidence shall be presented in any court of the fact that any automobile, truck, or other vehicle was found to be parked in a properly designated handicapped parking space in violation of the provisions of this section, it shall be prima facie evidence in any court in the State of North Carolina that the vehicle was parked and left in the space by the person, firm, or corporation in whose name the vehicle is registered and licensed according to the records of the Division. No evidence tendered or presented under this authorization shall be admissible or competent in any respect in any court or tribunal except in cases concerned solely with a violation of this section.
- (2) A violation of G.S. 20-37.6(e)(4) is an infraction which carries a penalty of ~~at least fifty dollars (\$50.00) one hundred dollars (\$100.00)~~ but not more than one hundred dollars (\$100.00) two hundred fifty dollars (\$250.00) and whenever evidence shall be presented in any court of the fact that a nonconforming sign is being used it shall be prima facie evidence in any court in the State of North Carolina that the person, firm, or corporation with ownership of the property where the nonconforming sign is located is responsible for violation of this section. Building inspectors and others responsible for North Carolina State Building Code violations specified in G.S. 143-138(h) where such signs are required by the Handicapped Section of the North Carolina State Building Code, may cause a citation to be issued for this violation and may also initiate any appropriate action or proceeding to correct such violation.
- (3) A law-enforcement officer, including a company police officer commissioned by the Attorney General under Chapter 74E, may cause a vehicle parked in violation of this section to be towed. The officer is a legal possessor as provided in G.S. 20-161(d)(2). The officer shall not be held to answer in any civil or criminal action to any owner, lienholder or other person legally entitled to the possession of any motor vehicle removed from a space pursuant to this section, except where the motor vehicle is willfully, maliciously, or negligently damaged in the removal from the space to a place of storage.
- (4) Notwithstanding any other provision of the General Statutes, the provisions of this section relative to handicapped parking shall be

enforced by State, county, city and other municipal authorities in their respective jurisdictions whether on public or private property in the same manner as is used to enforce other parking laws and ordinances by said agencies."

Section 2. This act becomes effective January 1, 2000.

In the General Assembly read three times and ratified this the 29th day of June, 1999.

Dennis A. Wicker
President of the Senate

James B. Black
Speaker of the House of Representatives

James B. Hunt, Jr.
Governor

Approved _____ .m. this _____ day of _____ , 19