

NORTH CAROLINA GENERAL ASSEMBLY
1971 SESSION

CHAPTER 294
SENATE BILL 57

AN ACT TO REWRITE G.S. 20-161 DEALING WITH VEHICLES STOPPED ON PUBLIC
HIGHWAYS.

The General Assembly of North Carolina do enact:

Section 1. G.S. 20-161 is hereby rewritten to read as follows:

"§ 20-161. Stopping on highway prohibited; warning signals; removal of vehicles from public highway. — (a) No person shall park or leave standing any vehicle, whether attended or unattended, upon the paved or main traveled portion of any highway or highway bridge unless the vehicle is disabled to such an extent that it is impossible to avoid stopping and temporarily leaving the vehicle upon the paved or main traveled portion of the highway or highway bridge.

(b) No person shall park or leave standing any vehicle upon the shoulder of a public highway unless the vehicle can be clearly seen by approaching drivers from a distance of 200 feet in both directions and does not obstruct the normal movement of traffic.

(c) The operator of any truck, trailer or semitrailer which is disabled upon any portion of the highway shall display warning signals not less than 200 feet in the front and rear of the vehicle. During daylight hours, such warning signals shall consist of red flags. During hours of darkness, such warning signals shall consist of red flares or reflectors of a type approved by the Commissioner of Motor Vehicles. Such warning signals shall be displayed as long as the vehicle is disabled.

(d) The owner of any vehicle parked or left standing wholly or partially upon the paved or main traveled portion of a public highway or highway bridge shall be deemed to have appointed any investigating law enforcement officer his agent for the purpose of removing the vehicle to the shoulder of the highway when the removal is, in the judgment of the officer, practicable and consistent with subsection (b) above.

(e) When any vehicle is parked or left standing upon the right of way of a public highway for a period of 48 hours or more, the owner shall be deemed to have appointed any investigating law enforcement officer his agent for the purpose of arranging for the transportation and safe storage of such vehicle and such investigating law enforcement officer shall be deemed a legal possessor of the motor vehicle within the meaning of that term as it appears in G.S. 44-A.2(d)."

Sec. 2. G.S. 20-219.1 and all other laws and clauses of laws in conflict with this act are hereby repealed.

Sec. 3. This act shall be in full force and effect on and after the date of its ratification.

In the General Assembly read three times and ratified, this the 5th day of May, 1971.