

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 253  
Committee Substitute Favorable 4/4/89  
Committee Substitute #2 Favorable 5/8/89

Short Title: Wilkes/Yadkin Junked Cars.

(Public)

Sponsors:

Referred to:

February 16, 1989

A BILL TO BE ENTITLED

AN ACT TO ALLOW MUNICIPALITIES IN AND THE COUNTIES OF CRAVEN,  
DAVIDSON, LENOIR, PAMLICO, WILKES AND YADKIN TO REGULATE  
THE ABANDONMENT OF JUNKED MOTOR VEHICLES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 160A-303.2, as rewritten by Chapter 3, Session Laws of  
1989, reads as rewritten:

"§ 160A-303.2. Regulation of abandonment of junked motor vehicles in  
municipalities in certain counties.

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

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

- 3 (1) Is partially dismantled or wrecked; or
- 4 (2) Cannot be self-propelled or moved in the manner in which it originally  
5 was intended to move; or
- 6 (3) Is more than five years old and appears to be worth less than one  
7 hundred dollars (\$100.00).

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

11 Sec. 2. G.S. 153A-132.2 reads as rewritten:

12 **"§ 153A-132.2. Regulation, restraint and prohibition of abandonment of junked**  
13 **motor vehicles.**

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

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

- 28 (1) Is partially dismantled or wrecked; or
- 29 (2) Cannot be self-propelled or moved in the manner in which it originally  
30 was intended to move; or
- 31 (3) Is more than five years old and appears to be worth less than one  
32 hundred dollars (\$100.00).

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

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