

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 1866*

Short Title: Regulate Towing From Private Lots. (Public)

Sponsors: Representatives Carney, K. Alexander, Killian, Earle (Primary Sponsors);
M. Alexander, Brisson, Cotham, E. Floyd, Gill, Goforth, Gulley, Harrison,
Hughes, Hurley, McElraft, Samuelson, and Tillis.

Referred to: Local Government II, if favorable, Finance.

May 20, 2010

A BILL TO BE ENTITLED

AN ACT TO STRENGTHEN THE REGULATION OF THE TOWING OF VEHICLES
FROM PRIVATE LOTS IN CERTAIN COUNTIES AND CITIES, AS RECOMMENDED
BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-219.2 reads as rewritten:

"§ 20-219.2. **Removal of unauthorized vehicles from private lots.**

(a) It shall be unlawful for any person other than the owner or lessee of a privately owned or leased parking space to park a motor or other vehicle in such private parking space without the express permission of the owner or lessee of such space; provided, that such private parking lot be clearly designated as such by a sign no smaller than 24 inches by 24 inches prominently displayed at the entrance ~~thereto~~ thereto, displaying the name and phone number of the towing and storage company, and the parking spaces within the lot be clearly marked by signs setting forth the name of each individual lessee or owner; a vehicle parked in a privately owned parking space in violation of this section may be removed from such space upon the written request of the parking space owner or lessee to a place of storage and the registered owner of such motor vehicle shall become liable for removal and storage charges. Any person who removes a vehicle pursuant to this section shall not be held liable for damages for the removal of the vehicle to the owner, lienholder or other person legally entitled to the possession of the vehicle removed; however, any person who intentionally or negligently damages a vehicle in the removal of such vehicle, or intentionally or negligently inflicts injury upon any person in the removal of such vehicle, may be held liable for damages.

(a1) Any vehicle removed pursuant to this section shall not be transported for storage more than 15 miles from the place of removal.

(a2) Any person or company that tows or stores a vehicle pursuant to this section shall charge reasonable fees for the services rendered, and any fee charged shall not exceed the fee for other service calls the person or company provides for the same service, labor, and conditions.

(b) Any person violating any of the provisions of this section shall be guilty of a Class 3 misdemeanor and upon conviction shall be only fined not more than ten dollars (\$10.00) in the discretion of the court.

(c) This section shall apply only to the Counties of Craven, Dare, Forsyth, Gaston, Guilford, Mecklenburg, New Hanover, Orange, Richmond, Robeson, Wake, Wilson and to the Cities of Durham, Jacksonville, Charlotte and Fayetteville. "

SECTION 2. This act becomes effective October 1, 2010.



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