

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

H

2

HOUSE BILL 253  
Committee Substitute Favorable 4/4/89

Short Title: Regulate Junked Cars.

(Public)

Sponsors:

Referred to:

February 16, 1989

1 A BILL TO BE ENTITLED  
2 AN ACT TO ALLOW COUNTIES AND MUNICIPALITIES TO REGULATE THE  
3 ABANDONMENT OF JUNKED MOTOR VEHICLES.

4 The General Assembly of North Carolina enacts:

5 Section 1. G.S. 153A-132.2 reads as rewritten:

6 "**§ 153A-132.2. Regulation, restraint and prohibition of abandonment of junked  
7 motor vehicles.**

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

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

22 (1) Is partially dismantled or wrecked; or

1 (2) Cannot be self-propelled or moved in the manner in which it originally  
2 was intended to move; or

3 (3) Is more than five years old and appears to be worth less than one  
4 hundred dollars (\$100.00).

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

8 Sec. 2. G.S. 160A-303.2 as amended by Chapter 3 of the 1989 Session Laws  
9 reads as rewritten:

10 "**§ 160A-303.2. Regulation of abandonment of junked motor vehicles—~~in~~**  
11 **~~municipalities in certain counties.~~**

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

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

26 (1) Is partially dismantled or wrecked; or

27 (2) Cannot be self-propelled or moved in the manner in which it originally  
28 was intended to move; or

29 (3) Is more than five years old and appears to be worth less than one  
30 hundred dollars (\$100.00).

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

34 Sec. 3. This act shall not affect the validity of any ordinance passed pursuant  
35 to Sections 1 or 2 of this act prior to the effective date of this act.

36 Sec. 4. This act is effective upon ratification.