

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 554
House Committee Substitute Favorable 6/15/89
Corrected Copy 6/19/89

Short Title: Junked Cars.

(Public)

Sponsors:

Referred to:

March 21, 1989

A BILL TO BE ENTITLED

AN ACT TO ALLOW CERTAIN COUNTIES AND MUNICIPALITIES IN CERTAIN COUNTIES 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, Chatham, Craven, Cumberland, Davidson, Davie, Edgecombe, Franklin, Gaston, Guilford, Halifax, Harnett, Henderson, Iredell, Jackson, Johnston, Lee, Lenoir, Lincoln, Madison, Mecklenburg, Moore, Nash, New Hanover, Pamlico, Pender, Pitt, Randolph, Rockingham, Rowan, Sampson, Surry, Wake, Wayne, Wilkes, Wilson, Yadkin, Stokes, Alleghany, Carteret, Columbus or Union Counties, and the Town of Roper, the City of Lumberton, and the City of Winston-Salem 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

1 municipality to require the removal or disposal of a motor vehicle kept or stored at a
2 bona fide 'automobile graveyard' or 'junkyard' as defined in G.S. 136-143.

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

5 (1) Is partially dismantled or wrecked; or

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

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

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

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

14 **"§ 153A-132.2. Regulation, restraint and prohibition of abandonment of junked**
15 **motor vehicles.**

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

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

31 (1) Is partially dismantled or wrecked; or

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

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

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

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