

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
Fourth Edition Engrossed 6/20/89

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, Northampton, Haywood, Swain, Graham, Clay, Macon, Cherokee, or Union Counties, and the Town of Roper, the City of Lumberton, the Town of Maxton, 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

1 authority granted by this section shall be supplemental to any other authority conferred
2 upon municipalities. Nothing in this section shall be construed to authorize a
3 municipality to require the removal or disposal of a motor vehicle kept or stored at a
4 bona fide 'automobile graveyard' or 'junkyard' as defined in G.S. 136-143.

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

7 (1) Is partially dismantled or wrecked; or

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

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

12 (b) Any ordinance adopted pursuant to this section shall include a prohibition
13 against removing or disposing of any motor vehicle that is used on a regular basis for
14 business or personal use, and shall provide for hearing procedures identical to those
15 provided in G.S. 160A-303(d)."

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

17 "**§ 153A-132.2. Regulation, restraint and prohibition of abandonment of junked**
18 **motor vehicles.**

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

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

35 (1) Is partially dismantled or wrecked; or

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

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

40 (b) Any ordinance adopted pursuant to this section shall include a prohibition
41 against removing or disposing of any motor vehicle that is used on a regular basis for
42 business or personal use, and shall provide for hearing procedures identical to those
43 provided in G.S. 153A-132(d)."

44 Sec. 3. This act is effective October 1, 1989.