

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 773
Transportation Committee Substitute Adopted 5/9/89
Third Edition Engrossed 5/10/89
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Short Title: Towing Liability Amendments.

(Public)

Sponsors:

Referred to:

April 4, 1989

A BILL TO BE ENTITLED
AN ACT TO ADD TO TOWING PROVISIONS CERTAIN LANGUAGE
CONCERNING IMMUNITIES.

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 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. ~~No person shall be held to answer in any civil or criminal action to any owner, lienholder or other person legally entitled to the possession of any motor vehicle removed from such lot pursuant to this section except where such motor vehicle is willfully, maliciously or negligently damaged in the removal from aforesaid space to place of storage.~~ 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

1 vehicle in the removal of such vehicle, or intentionally or negligently inflicts injury
2 upon any person in the removal of such vehicle, may be held liable for damages.

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

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

9 Sec. 2. G.S. 20-219.3 reads as rewritten:

10 **"§ 20-219.3. Removal of unauthorized vehicles from gasoline service station**
11 **premises.**

12 (a) No motor vehicle shall be left for more than 48 hours upon the premises of
13 any gasoline service station without the consent of the owner or operator of the service
14 station.

15 (b) The registered owner of any motor vehicle left unattended upon the premises
16 of a service station in violation of subsection (a) shall be given notice by the owner or
17 operator of said station of said violation. The notice given shall be by certified mail
18 return receipt requested addressed to the registered owner of the motor vehicle.

19 (c) Upon the expiration of 10 days from the return of the receipt showing that
20 the notice was received by the addressee, such vehicle left on the premises of a service
21 station in violation of this section may be removed from the station premises to a place
22 of storage and the registered owner of such vehicle shall become liable for the
23 reasonable removal and storage charges and the vehicle subject to the storage lien
24 created by G.S. 44A-1 **et seq.** ~~No person shall be held to answer in any civil or criminal~~
25 ~~action to any owner, lienholder or other person legally entitled to the possession of any vehicle~~
26 ~~removed from such station premises pursuant to this section except where such vehicle is~~
27 ~~willfully or maliciously damaged in the removal from such station premises to place of storage.~~
28 Any person who removes a vehicle pursuant to this section shall not be held liable for
29 damages for the removal of the vehicle to the owner, lienholder or other person legally
30 entitled to the possession of the vehicle removed; however, any person who
31 intentionally or negligently damages a vehicle in the removal of such vehicle, or
32 intentionally or negligently inflicts injury upon any person in the removal of such
33 vehicle, may be held liable for damages.

34 (d) In the alternative, the station owner or operator may charge for storage, assert
35 a lien, and dispose of the vehicle under the terms of G.S. 44A-4(b) through (g). The
36 proceeds from the sale of the vehicle shall be disbursed as provided in G.S. 44A-5."

37 Sec. 3. G.S. 61-7 reads as rewritten:

38 **"§ 61-7. Governing body of assembly authorized to adopt traffic regulations.**

39 (a) The governing body of any religious organization or assembly may by
40 appropriate resolution establish rules and regulations with respect to the use of the
41 streets, roads, alleys, driveways, and parking lots on the grounds or premises owned or
42 under the exclusive control of such organization, and it shall be unlawful for any person
43 to park a motor vehicle or other vehicle on the streets, roads or on the premises of a
44 religious assembly where parking has been prohibited by the religious assembly by the

1 erection of 'No Parking' signs at each space on the street, road or on the premises where
2 parking is prohibited. Each space in which parking is prohibited shall be clearly
3 designated as such by a sign no smaller than 24 inches by 24 inches. All rules and
4 regulations adopted pursuant to the authority of this section shall be recorded in the
5 proceedings of said governing body and copies thereof shall be filed in the office of the
6 Secretary of State of North Carolina.

7 (b) It shall be unlawful for any person to park a motor vehicle or other vehicle in
8 a parking space on the streets, roads, or premises of a religious assembly where the
9 parking space has been designated by the religious assembly as being limited to a
10 named individual or to a person holding a named position with the assembly; provided,
11 that such private parking space or private parking lot be clearly designated as such by a
12 sign no smaller than 24 inches by 24 inches prominently displayed at the entrance to the
13 parking lot, if within a parking lot, and provided further that the private parking spaces
14 within the lot or the private parking spaces on the streets, roads or on the premises of the
15 religious assembly be clearly marked by signs setting forth the name of each individual
16 for whom the space is reserved or the name of the position held with the assembly for
17 which space is reserved.

18 (c) It shall be unlawful for any person to park a motor vehicle or other vehicle on
19 the streets or roads of a religious assembly, except where parking is expressly
20 designated, so as to interfere with, or obstruct the free flow of vehicular traffic on the
21 streets or roads within the assembly grounds.

22 (d) It shall be unlawful for any person to park a motor vehicle or other vehicle at
23 the entrance to any driveway on the grounds of a religious assembly so as to block the
24 driveway.

25 (e) Any vehicle parked in violation of subsections (a), (b), (c), or (d) may be
26 removed by the assembly, or its agents, or its employees to a place of storage and the
27 registered owner of such motor vehicle shall become liable for removal and storage
28 charges. ~~The assembly, nor any party acting under the directions of the assembly, shall be~~
29 ~~held to answer any civil or criminal action to any owner, lienholder, or other person legally~~
30 ~~entitled to the possession of any motor vehicle removed from such parking space or parking lot~~
31 ~~pursuant to subsections (a), (b), (c), or (d) except when there is a claim for personal injury or~~
32 ~~where such motor vehicle is willfully, maliciously or negligently damaged in the removal from~~
33 ~~the aforesaid space to place of storage.~~ Any person who removes a vehicle pursuant to
34 subsections (a), (b), (c), or (d) shall not be held liable for damages for the removal of the
35 vehicle to the owner, lienholder or other person legally entitled to the possession of the
36 vehicle removed; however, any person who intentionally or negligently damages a
37 vehicle in the removal of such vehicle, or intentionally or negligently inflicts injury
38 upon any person in the removal of such vehicle, may be held liable for damages.

39 (f) A 'religious assembly' is defined as being a corporation or association formed for
40 the purpose of providing a resort community for religious and recreational purposes and
41 where the streets and roads are solely maintained by the religious assembly without
42 governmental funds."

43 Sec. 4. G.S. 115C-46 reads as rewritten:

44 "**§ 115C-46. Powers of local boards to regulate parking of motor vehicles.**

1 (a) Any local board of education may adopt reasonable rules and regulations with
2 respect to the parking of motor vehicles and other modes of conveyance on public
3 school grounds and may enforce such rules and regulations. A violation of a rule or
4 regulation concerning parking on public school grounds is an infraction punishable by a
5 penalty of not more than ten dollars (\$10.00) unless the regulation provides that the
6 violation is not punishable as an infraction. Rules and regulations adopted hereunder
7 shall be made available for inspection by any person upon request.

8 (b) Any local board of education may adopt written guidelines governing the
9 individual assignment of parking spaces on school grounds. Such guidelines shall give
10 first priority treatment to the physically handicapped.

11 (c) Any local board of education, by rules and regulations adopted hereunder,
12 may provide for the registration of motor vehicles and other modes of conveyance
13 maintained, operated or parked on school grounds. Any local board of education, by
14 rules and regulations adopted hereunder, may provide for the issuance of stickers,
15 decals, permits or other indicia representing the registration status of vehicles or the
16 eligibility of vehicles to park on school grounds and may prohibit the forgery,
17 counterfeiting, unauthorized transfer or unauthorized use of them.

18 (d) Any motor vehicle parked in a parking lot on school grounds, when such lot
19 is clearly designated as such by a sign no smaller than 24 inches by 24 inches
20 prominently displayed at each entrance thereto, in violation of the rules and regulations
21 adopted by the local board of education, or any motor vehicle otherwise parked on
22 school grounds in violation of the rules and regulations adopted by the county or city
23 local board of education, may be removed from school grounds to a place of storage and
24 the registered owner of that vehicle shall become liable for removal and storage charges.
25 ~~No person shall be held to answer in any civil or criminal action to any owner, lienholder, or~~
26 ~~other person legally entitled to the possession of any motor vehicle removed pursuant to this~~
27 ~~section except where such motor vehicle is willfully, maliciously or negligently damaged in the~~
28 ~~removal from school grounds to place of storage. —~~Any person who removes a vehicle
29 pursuant to this section shall not be held liable for damages for the removal of the
30 vehicle to the owner, lienholder or other person legally entitled to the possession of the
31 vehicle removed; however, any person who intentionally or negligently damages a
32 vehicle in the removal of such vehicle, or intentionally or negligently inflicts injury
33 upon any person in the removal of such vehicle, may be held liable for damages."

34 Sec. 5. G.S. 143-340 reads as rewritten:

35 "**§ 143-340. Powers and duties of Secretary.**

36 The Secretary of Administration has the following powers and duties:

- 37 (1) To establish a meritorious service award system for State employee
38 suggestions which may include cash awards to be paid from savings
39 resulting from the adoption of employee suggestions, but in no case
40 shall the cash award exceed twenty-five percent (25%) of the savings
41 resulting during the first year following adoption or a maximum of five
42 thousand dollars (\$5,000).

43 (2) to (9) Repealed by Session Laws 1975, c. 879, s. 46.

- 1 (10) To require reports from any State agency at any time upon any matters
2 within the scope of the responsibilities of the Secretary or the
3 Department.
- 4 (11) Repealed by Session Laws 1975, c. 879, s. 46.
- 5 (12) To enter the premises of any State agency; to inspect its property; and
6 to examine its books, papers, documents, and all other agency records
7 and copy any of them; and any State agency shall permit such entry,
8 examination, and copying, and upon demand shall produce without
9 unnecessary delay all books, papers, documents, and other records in
10 its office and furnish information respecting its records and other
11 matters pertaining to that agency and related to the responsibilities of
12 the Department.
- 13 (13) Repealed by Session Laws 1975, c. 879, s. 46.
- 14 (14) With respect to the principal State offices and Departments as defined
15 in G.S. 143A-11 and 143B-6, or a division thereof, to exercise general
16 coordinating authority for all telecommunications matters relating to
17 the internal management and operations of State government. In
18 discharging that responsibility the Secretary may in cooperation with
19 affected State Agency Heads, do such of the following things as he
20 deems necessary and advisable:
- 21 a. Provide for the establishment, management, and operation,
22 through either State ownership or commercial leasing of the
23 following systems and services as they affect the internal
24 management and operation of State government:
- 25 1. Central telephone systems and telephone networks;
26 2. Teleprocessing systems;
27 3. Teletype and facsimile services;
28 4. Satellite services;
29 5. Closed-circuit TV systems;
30 6. Two-way radio systems;
31 7. Microwave systems;
32 8. Related systems based on telecommunications
33 technologies.
- 34 b. Coordinate the development of cost sharing systems for
35 respective user agencies for their proportionate parts of the cost
36 of maintenance and operation of the systems and services listed
37 in item a of this subdivision, in accordance with the rules and
38 regulations adopted by the Governor and approved by the
39 Council of State, pursuant to G.S. 143-341(8)k.
- 40 c. Assist in the development of coordinated telecommunications
41 services or systems within and among all agencies and
42 departments, and recommend, where appropriate, cooperative
43 utilization of telecommunication facilities by aggregating users.

- 1 d. Perform traffic analysis and engineering for all
2 telecommunications services and systems listed in item a of this
3 subdivision.
- 4 e. Pursuant to G.S. 143-49, establish telecommunications
5 specifications and designs so as to promote and support
6 compatibility of the systems within State government.
- 7 f. Pursuant to G.S. 143-49 and 143-50, coordinate the review of
8 requests by State agencies for the procurement of
9 telecommunications systems or services.
- 10 g. Pursuant to G.S. 143-341 and Chapter 146, coordinate the
11 review of requests by State agencies for State government
12 property acquisition, disposition, or construction for
13 telecommunications systems requirements.
- 14 h. Provide a periodic inventory of telecommunications costs,
15 facilities, systems, and personnel within State government.
- 16 i. Promote, coordinate, and assist in the design and engineering of
17 emergency telecommunications systems, including but not
18 limited to the 911 emergency telephone number program,
19 Emergency Medical Services, and other emergency
20 telecommunications services.
- 21 j. Perform frequency coordination and management for State and
22 local governments, including all public safety radio service
23 frequencies, in accordance with the rules and regulations of the
24 Federal Communications Commission or any successor federal
25 agency.
- 26 k. Advise all State agencies and institutions on
27 telecommunications management planning and related matters
28 and provide through the State Personnel Training Center
29 training to users with State government in telecommunications
30 technology and systems.
- 31 l. Assist and coordinate the development of policies and long-
32 range plans, consistent with the protection of citizens' rights to
33 privacy and access to information, for the acquisition and use of
34 telecommunications systems; and base such policies and plans
35 on current information about State telecommunications
36 activities in relation to the full range of emerging technologies.
- 37 m. Work cooperatively with the North Carolina Agency for Public
38 Telecommunications in furthering the purpose of this
39 subdivision.

40 The provisions of this subdivision shall not apply to the Police Information Network
41 (P.I.N.) of the Department of Justice or to the Judicial Information System in the
42 Judicial Department.

43 (15), (16) Repealed by Session Laws 1975, c. 879, s. 46.

- 1 (17) To supervise the work of janitors appointed by the General Assembly
2 to perform services in connection with the sessions of the General
3 Assembly.
- 4 (18) To adopt reasonable rules and regulations with respect to the parking
5 of automobiles on all public grounds, subject to the approval of the
6 Governor and Council of State, and to enforce those rules and
7 regulations. Any person who violates a rule or regulation concerning
8 parking on public grounds is guilty of a misdemeanor, and upon
9 conviction is punishable in the discretion of the court. Upon the
10 allocation of parking spaces to any agency pursuant to such rules and
11 regulations, the agency shall adopt written guidelines governing the
12 individual assignment of such parking spaces by the agency. Such
13 guidelines shall give first priority treatment to the physically
14 handicapped and to carpoolers and vanpoolers, however, first priority
15 shall be given to those on call for duty at a time other than normal
16 working hours. A copy of said guidelines shall be made available for
17 inspection by any person upon request.
- 18 (19) Any motor vehicle parked in a State-owned parking lot, when such lot
19 is clearly designated as such by a sign no smaller than 24 inches by 24
20 inches prominently displayed at the entrance thereto, in violation of the
21 'Rules and Regulations Governing State-Owned Parking Lots' dated
22 September, 1968 or as amended, may be removed from such lot to a
23 place of storage and the registered owner of that vehicle shall become
24 liable for removal and storage charges. ~~No person shall be held to~~
25 ~~answer in any civil or criminal action to any owner, lienholder, or other~~
26 ~~person legally entitled to the possession of any motor vehicle removed from~~
27 ~~such lots pursuant to this section except where such motor vehicle is~~
28 ~~willfully, maliciously or negligently damaged in the removal from aforesaid~~
29 ~~lot to place of storage. Any person who removes a vehicle pursuant to~~
30 ~~this section shall not be held liable for damages for the removal of the~~
31 ~~vehicle to the owner, lienholder or other person legally entitled to the~~
32 ~~possession of the vehicle removed; however, any person who~~
33 ~~intentionally or negligently damages a vehicle in the removal of such~~
34 ~~vehicle, or intentionally or negligently inflicts injury upon any person~~
35 ~~in the removal of such vehicle, may be held liable for damages. Any~~
36 motor vehicle parked without authorization on State-owned public
37 grounds under the control of the Department of Administration other
38 than a designated parking area may be removed from that property to a
39 storage area and the registered owner of the vehicle shall be liable for
40 removal and storage fees.
- 41 (20) To use at all times such means as, in his opinion, may be effective in
42 protecting all public buildings and grounds from fire.
- 43 (21) To serve as a special police officer and in that capacity to have the
44 same power of arrest as the police officers of the City of Raleigh. Such

1 authority may be exercised within the same territorial jurisdiction as
2 exercised by the police officers of the City of Raleigh, and in addition
3 thereto the authority of a deputy sheriff may be exercised on property
4 owned, leased or maintained by the State located in the County of
5 Wake.

6 (22) To appoint as special police officers such reliable persons as he may
7 deem necessary, and such officers shall have the same power of arrest
8 as herein conferred upon the Secretary. Before the Secretary or the
9 special police officers may exercise the power of arrest, they shall take
10 an oath, to be administered by any person authorized to administer
11 oaths, as required by law.

12 (23) Repealed by Session Laws 1975, c. 879, s. 46.

13 (24) To perform such additional duties as the Governor may direct.

14 (25) To make available, on a cost basis, to city and county agencies the
15 services of the State telephone network. These services are to be
16 charged to the local governments based on the proportional cost of
17 maintaining and operating the system and in accordance with rules and
18 regulations adopted by the Governor and approved by the Council of
19 State."

20 Sec. 6. Article 8 of the Town Charter of Carrboro, as set forth in Section 1
21 of Chapter 476 of the 1987 Session Laws, reads as rewritten:

22 **"ARTICLE 8. REGULATION OF STREETS, SIDEWALKS, BIKEWAYS,**
23 **PARKING, ETC.**

24 **"Section 8-1. Regulation of Vehicles Considered Abandoned.** In addition to the
25 authorization set forth in G.S. 160A-303(b), the town may, by ordinance, define an
26 abandoned vehicle to include any motor vehicle parked under the circumstances listed
27 below and may enforce such ordinance by towing under any ordinance adopted pursuant
28 to the authorization contained in G.S. 160A-303:

29 (1) Any motor vehicle that is left on property owned, leased, or operated
30 by the town contrary to an ordinance prohibiting parking thereon
31 during specified times or in excess of specified durations.

32 (2) Any motor vehicle that has been left on private property in a properly
33 designated fire lane in violation of an ordinance prohibiting parking in
34 such specifically designated fire lanes.

35 **"Section 8-2. Bikeways.** The board of aldermen may adopt ordinances regulating
36 the use of bikeways (thoroughfares suitable for bicycles) within the town, whether such
37 bikeways exist within the rights-of-way of public streets or along separate and
38 independent corridors. Without limiting the foregoing, such ordinances may establish
39 traffic regulations for bicycles travelling in designated bikeways different than those
40 established for other types of vehicular traffic.

41 **"Section 8-3. Regulating Railroad Crossing.** (a) Whenever the board of aldermen
42 concludes, based upon a record of accidents or near accidents or the opinion of a
43 professional traffic engineer or transportation planner deemed qualified by the board
44 that a particular grade crossing located inside or within 500 yards of the corporate

1 boundaries of the town is especially hazardous, the board may adopt an ordinance
2 requiring the railroad company to install and maintain such warning signs, gates, lights
3 or devices as the board deems reasonably necessary in the interest of public safety. The
4 ordinance may provide that up to seventy-five percent (75%) of the cost of the
5 acquisition and installation (or replacement) of such devices as well as one hundred
6 percent (100%) of the maintenance cost shall be borne by the railroad, and the
7 remaining cost shall be borne by the town.

8 (b) The intent of the section is to modify the provisions of G.S. 160A-298 as they
9 would otherwise apply to the Town of Carrboro.

10 **"Section 8-4. Removal of Unauthorized Vehicles from Private Property. (a)**

11 Subject to subsection (b) of this section, any motor vehicle left on private
12 property within the town of Carrboro for more than 24 hours in an area described in
13 subsection (b)(1) or for any period of time in an area described in subsections (b)(2) and
14 (b)(3) without permission of the person or party having possession (actual or
15 constructive) of such property may be removed by or at the direction of such party to a
16 place of storage, and the registered owner of such motor vehicle shall become liable for
17 removal and storage charges. ~~No person shall be held to answer in any civil or criminal
18 action to any owner, lien holder or other person legally entitled to the possession of any motor
19 vehicle removed under this section except where the person or party against whom liability is
20 asserted acted maliciously in directing the removal of the vehicle or negligently in towing or
21 storing the vehicle.~~ Any person who removes a vehicle pursuant to this section shall not
22 be held liable for damages for the removal of the vehicle to the owner, lienholder or
23 other person legally entitled to the possession of the vehicle removed except where the
24 person or party against whom liability is asserted acted maliciously in directing the
25 removal of the vehicle; however, any person who intentionally or negligently damages a
26 vehicle in the removal of such vehicle, or intentionally or negligently inflicts injury
27 upon any person in the removal of such vehicle, may be held liable for damages.

28 (b) The provisions of subsection (a) shall apply only to the following areas:

29 (1) Private roads, including adjacent shoulders, sidewalks, and medians,
30 so long as at every entrance to such private road or at every entrance to
31 a subdivision or development containing private roads, there is
32 prominently displayed a sign that contains the following message or
33 any equally explicit message, printed in letters at least three inches
34 high: 'Private Road, No Parking In Or Along Road, Violators Towed
35 At Their Expense.' Such sign shall also display a telephone number to
36 be called for information about a towed vehicle.

37 (2) Privately owned parking lots or areas, regardless of whether such lots
38 or areas fall within the definition of 'public vehicular areas' contained
39 in G.S. 20-4.01(32), so long as there is prominently displayed at every
40 entrance to such lots or areas a sign that clearly informs, in letters at
41 least three inches in height, any person driving a motor vehicle onto
42 such lot or areas:

43 a. Either that (i) parking within such lot is restricted in a manner
44 indicated in such entrance sign, or (ii) parking within such lot is

1 restricted in a manner indicated in signs placed throughout the
2 lot, (and such signs are placed in such a manner and location as
3 reasonably to inform persons seeking to park in specific spaces
4 what limitations apply to such spaces); and

5 b. That violators may be towed at their expense; and

6 c. What the telephone number is that should be called for
7 information about a towed vehicle. (This information may be in
8 letters or numbers less than three inches in height.)

9 (3) Any driveway or parking space that is manifestly designed to serve a
10 single family or two-family private residence, as well as any other
11 private property that is manifestly not designed or intended for the
12 parking of motor vehicles.

13 (c) A property owner or possessor who removes a vehicle or has a vehicle
14 removed pursuant to this section shall immediately thereafter contact the Town of
15 Carrboro police department and inform such agency that the vehicle has been removed,
16 who removed it, why it was removed, and where it can be reclaimed, and shall provide
17 such agency with the registration plate number or other identification of such vehicle."

18 Sec. 7. Section 3 of Chapter 1023 of the 1987 Session Laws reads as
19 rewritten:

20 "Sec. 3. (a) The governing board of a town may enact reasonable ordinances
21 with respect to the parking of motor vehicles in any off-street parking facilities owned
22 by that town and to enforce those ordinances.

23 (b) Any motor vehicle parked in a town-owned parking lot, when such lot is
24 clearly designated as such by a sign no smaller than 24 inches by 24 inches stating the
25 ordinance regulations with respect to that lot and prominently displayed at the entrance
26 thereto, in violation of an ordinance adopted pursuant to this act may be removed from
27 such lot to a place of storage operated by the town and the registered owner of that
28 vehicle shall become liable for removal and storage charges. ~~No person acting as an agent
29 for the town shall be held to answer in any civil or criminal action to any owner, lienholder, or
30 other person legally entitled to the possession of any motor vehicle removed pursuant to this act
31 except where such motor vehicle is willfully, maliciously or negligently damaged in the
32 removal from aforesaid lot to place of storage.~~ Any person who removes a vehicle pursuant
33 to this section shall not be held liable for damages for the removal of the vehicle to the
34 owner, lienholder or other person legally entitled to the possession of the vehicle
35 removed; however, any person who intentionally or negligently damages a vehicle in
36 the removal of such vehicle, or intentionally or negligently inflicts injury upon any
37 person in the removal of such vehicle, may be held liable for damages.

38 (c) This section applies to the Town of Chapel Hill only."

39 Sec. 8. This act shall become effective October 1, 1989.