



1 furnishes the officials or agents of the municipality which issued the  
2 citation either of the following:

3 a. An affidavit stating ~~The~~ the name and address of the person or  
4 company who leased, rented, or otherwise had the care,  
5 custody, and control of the ~~vehiele;~~ vehicle.

6 b. An affidavit stating that the vehicle involved was, at the time,  
7 ~~stolen~~ stolen. The affidavit must be supported with evidence  
8 that supports the affidavit, including insurance or police report  
9 information. ~~or in the care, custody, or control of some person~~  
10 ~~who did not have permission of the owner to use the vehicle.~~

11 (2) Subdivision (1) of this subsection shall not apply, and the registered  
12 owner of the vehicle shall not be responsible for the violation, if notice  
13 of the violation is given to the registered owner of the vehicle more  
14 than 90 days after the date of the violation.

15 (2)(3) A violation detected by a traffic control photographic system shall be  
16 deemed a noncriminal violation for which a civil penalty of fifty  
17 dollars (\$50.00) shall be assessed, and for which no points authorized  
18 by G.S. 20-16(c) shall be assigned to the owner or driver of the vehicle  
19 nor insurance points as authorized by G.S. 58-36-65.

20 (3)(4) The owner of the vehicle shall be issued a citation which shall clearly  
21 state the manner in which the violation may be challenged, and the  
22 owner shall comply with the directions on the citation. The citation  
23 shall be processed by officials or agents of the municipality and shall  
24 be forwarded by personal service or first-class mail to the address  
25 given on the motor vehicle registration. If the owner fails to pay the  
26 civil penalty or to respond to the citation within the time period  
27 specified on the citation, the owner shall have waived the right to  
28 contest responsibility for the violation, and shall be subject to a civil  
29 penalty not to exceed one hundred dollars (\$100.00). The municipality  
30 may establish procedures for the collection of these penalties and may  
31 enforce the penalties by civil action in the nature of debt.

32 (4)(5) The municipality shall institute a nonjudicial administrative hearing to  
33 review objections to citations or penalties issued or assessed under this  
34 section."

35 **SECTION 3.** This act is effective when it becomes law.