

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

H

4

HOUSE BILL 867
Committee Substitute Favorable 5/6/09
Senate State and Local Government Committee Substitute Adopted 5/26/09
Fourth Edition Engrossed 5/27/09

Short Title: Junked & Abandoned Vehicles. (Public)

Sponsors:

Referred to:

March 30, 2009

A BILL TO BE ENTITLED

AN ACT AFFECTING THE REGULATION OF ABANDONED OR JUNKED MOTOR
VEHICLES IN ALL MUNICIPALITIES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 160A-303(b2) reads as rewritten:

"(b2) A junked motor vehicle is an abandoned motor vehicle that also:

- (1) Is partially dismantled or wrecked; or
- (2) Cannot be self-propelled or moved in the manner in which it was originally intended to move; or
- (3) Is more than five years old and worth less than one hundred dollars ~~(\$100.00);~~ (\$100.00) or is more than five years old and worth less than five hundred dollars (\$500.00) as provided by the municipality in an ordinance adopted under this section; or
- (3a) ~~Is more than five years old and worth less than five hundred dollars (\$500.00); this subdivision applies only to the Cities of Belmont, Bessemer City, Cherryville, Eden, Gastonia, Greensboro, Henderson, High Point, Mount Holly, and Reidsville and the Towns of Ahoskie, Ayden, Cornelius, Cramerton, Dallas, Davidson, Farmville, Huntersville, LaGrange, Matthews, Mint Hill, Louisburg, Spring Lake, and Stanley; or~~
- (4) Does not display a current license plate."

SECTION 2. G.S. 160A-303.2(a) reads as rewritten:

"(a) A municipality 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, and may enforce any such ordinance by removing or disposing of junked motor vehicles subject to the ordinance according to the procedures prescribed in this section. 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 municipality to require the removal or disposal of a motor vehicle kept or stored at a bona fide "automobile graveyard" or "junkyard" as defined in G.S. 136-143.

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

- (1) Is partially dismantled or wrecked; or



- 1 (2) Cannot be self-propelled or moved in the manner in which it originally was
- 2 intended to move; or
- 3 (3) Is more than five years old and appears to be worth less than one hundred
- 4 dollars ~~(\$100.00);~~(\$100.00) or is more than five years old and appears to be
- 5 worth less than five hundred dollars (\$500.00) as provided by the
- 6 municipality in an ordinance adopted under this section.
- 7 ~~(4) Is more than five years old and appears to be worth less than five hundred~~
- 8 ~~dollars (\$500.00). This subdivision applies only to the Cities of Belmont,~~
- 9 ~~Bessemer City, Cherryville, Eden, Gastonia, Greensboro, High Point,~~
- 10 ~~Monroe, Mount Holly, and Reidsville and the Towns of Ahoskie, Ayden,~~
- 11 ~~Cornelius, Cramerton, Dallas, Davidson, Farmville, Huntersville, LaGrange,~~
- 12 ~~Mint Hill, Louisburg, Spring Lake, and Stanley."~~

13 **SECTION 3.** This act is effective when it becomes law, but the repeal of
14 G.S. 160A-303(b2)(3a) and G.S. 160A-303.2(a)(4) become effective October 1, 2009. A
15 municipality may adopt an ordinance under G.S. 160A-303(b2)(3) or G.S. 160A-303.2(a)(3)
16 when this act becomes law, but the ordinance may not become effective prior to October 1,
17 2009.