

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2005

H

2

HOUSE BILL 2145  
Committee Substitute Reported Without Prejudice 6/8/06

Short Title: Secret Compartments in Motor Vehicles.

(Public)

---

Sponsors:

---

Referred to:

---

May 18, 2006

A BILL TO BE ENTITLED

1 AN ACT TO MAKE FALSE, HIDDEN, OR SECRET COMPARTMENTS IN A  
2 VEHICLE UNLAWFUL AND TO APPROPRIATE ONE HUNDRED  
3 THOUSAND DOLLARS TO THE DEPARTMENT OF CRIME CONTROL AND  
4 PUBLIC SAFETY FOR GRANTS TO LOCAL LAW ENFORCEMENT  
5 AGENCIES TO HELP OFFSET THE COST OF ENFORCING THIS ACT.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** Chapter 90 of the General Statutes is amended by adding a  
8 new section to read:

9 **"§ 90-108.1. Vehicles with false, hidden, or secret compartments.**

10 (a) Definitions. –

11 (1) False, hidden, or secret compartment means any enclosure that is  
12 intended or designed to be used to conceal, hide, or prevent discovery  
13 by law enforcement officers of the false, hidden, or secret  
14 compartment, or its contents, and which is integrated into or attached  
15 to a vehicle. The term "false, hidden, or secret compartment" does not  
16 include a compartment or enclosure that is designed and installed by  
17 the manufacturer of the vehicle prior to the sale of the vehicle. The  
18 term "false, hidden, or secret compartment" includes, but is not limited  
19 to:

20 a. False, altered, or modified fuel tank.

21 b. Any original factory equipment on a vehicle that has been  
22 modified to conceal, hide, or prevent discovery of its contents.

23 c. Any compartment, space, or box that is added or attached to  
24 existing compartments, spaces, or boxes integrated into or  
25 attached to a vehicle.

26 (2) Vehicle includes, but is not limited to, cars, trucks, buses, motorcycles,  
27 mopeds, bicycles, aircraft, helicopters, boats, ships, yachts, railcars,  
28

1 rail engines, and any other property that may be attached to, pulled,  
2 towed, or drawn by a vehicle.

3 (b) For the purposes of this section, a person's intention to use a false, hidden, or  
4 secret compartment to conceal the contents of the compartment from a law enforcement  
5 officer may be inferred from factors including, but not limited to, the discovery of any  
6 of the following, or evidence of the previous placement of any of the following, within  
7 the false, hidden, or secret compartment:

8 (1) A person concealed for an unlawful purpose.

9 (2) A controlled substance, if possession of the controlled substance  
10 would be classified as a Class 1 misdemeanor or higher.

11 (3) Other contraband, if possession of the contraband would be classified  
12 as a Class 1 misdemeanor or higher.

13 (c) It is unlawful for any person to own or operate any vehicle he or she knows to  
14 contain a false, hidden, or secret compartment.

15 (d) It is unlawful for any person to install, create, build, or fabricate a false,  
16 hidden, or secret compartment in any vehicle.

17 (e) It is unlawful for any person to sell, trade, or otherwise dispose of a vehicle  
18 he or she knows to contain a false, hidden, or secret compartment.

19 (f) Upon the arrest of a person who owns or operates a vehicle in violation of  
20 this section, if the vehicle is not otherwise subject to forfeiture under other provisions of  
21 law or determined to be needed to be held as evidence, the law enforcement officer shall  
22 seize the license plate and registration card for the vehicle. Any law enforcement officer  
23 who seizes a license plate and registration card under this section shall report the seizure  
24 to the Division of Motor Vehicles within 48 hours of the seizure. Upon application to  
25 the Division, the owner of the vehicle may be issued a temporary license plate for the  
26 vehicle which shall be valid for 30 days or until the owner of the vehicle provides  
27 verification that the vehicle has been repaired to eliminate any violation of this section,  
28 whichever occurs first. The vehicle shall be subject to inspection by law enforcement,  
29 and if it is determined that the vehicle has been repaired, the license plate and  
30 registration card shall be returned to the owner.

31 (g) A violation of this section is punishable as a Class I felony."

32 **SECTION 2.** There is appropriated from the General Fund to the  
33 Department of Crime Control and Public Safety the sum of one hundred thousand  
34 dollars (\$100,000) to be used for grants to local law enforcement agencies to offset the  
35 costs of enforcing Section 1 of this act.

36 **SECTION 3.** This act becomes effective December 1, 2006, and applies to  
37 offenses committed on or after that date.  
38