

April 12, 2001

H 1217. NOTIFY DWI LIENHOLDERS IMMEDIATELY. TO REQUIRE THAT LIENHOLDERS BE NOTIFIED IMMEDIATELY WHEN A MOTOR VEHICLE IS SUBJECT TO FORFEITURE FOR IMPAIRED DRIVING AFTER IMPAIRED DRIVING LICENSE REVOCATION. Amends GS 20-28.3(b) as title indicates. Effective Jan. 1, 2002.

Intro. by Hackney.

Ref. to Judiciary I	GS 20
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April 25, 2001

H 1217. NOTIFY DWI LIENHOLDERS IMMEDIATELY. Intro. 4/12/01. House committee substitute makes the following changes to 1st edition. Rewrites bill so it is now entitled *AN ACT TO SPEED THE NOTIFICATION TO LIENHOLDERS AND INNOCENT MOTOR VEHICLE OWNERS WHEN A MOTOR VEHICLE IS SEIZED UNDER DWI FORFEITURE PROVISIONS*. (1) Amends GS 20-28.3(b) to require the seizing officer to notify the appropriate executive agency within 24 hours of the seizure (now, 72). (2) Amends GS 20-28.3(b1) to specify that the 48-hour period that the executive agency has to issue notification to DMV and lienholders of the impoundment after the agency receives the officer's notification applies when the agency receives the notification within regular business hours. If the notice is received outside those hours, then the 48 hours begins at the start of the next business day. (3) Adds new GS 20-28.3(b1) permitting lienholders to provide the executive agency with a telephone number for oral contact regarding impoundments, in which case the agency is to give notice within 4 hours of the impoundment by phone, in addition to the 48-hour notice described above.

July 16, 2001

H 1217. NOTIFY DWI LIENHOLDERS IMMEDIATELY. Intro. 4/12/01. House committee substitute makes the following changes to 2nd edition. Changes title to *AN ACT TO SPEED THE NOTIFICATION TO LIENHOLDERS WHEN A MOTOR VEHICLE IS SEIZED UNDER DWI FORFEITURE PROVISIONS AND TO SPEED THE RELEASE OF A SEIZED VEHICLE TO INNOCENT OWNERS*. Changes act's effective date from Dec. 1, 2001 to Jan. 1, 2002. Amends proposed GS 20-28.3(b2) to require notification by facsimile instead of by telephone and within eight instead of four hours of receipt of notice of seizure. Amends GS 20-28.3(e1) (pretrial release of motor vehicle to innocent owner) to require clerk instead of judge to make determination of innocent owner and to delete requirement of a hearing. Amends GS 20-28.2 and 20-28.3 to provide that order issued pursuant to sections authorizing release of seized vehicle must require payment of all towing and storage charges incurred as result of seizure and impoundment of motor vehicle, and requirement shall not be waived. Amends GS 20-28.4 to provide that court shall not waive payment of towing and storage costs.

August 13, 2001

SL 2001-362 (H 1217). NOTIFY DWI LIENHOLDERS IMMEDIATELY. AN ACT TO SPEED THE NOTIFICATION TO LIENHOLDERS WHEN A MOTOR VEHICLE IS SEIZED UNDER DWI FORFEITURE PROVISIONS AND TO SPEED THE RELEASE OF A SEIZED VEHICLE TO INNOCENT OWNERS. Summarized in *Daily Bulletin* 4/12/01, 4/25/01, and 7/16/01. Enacted Aug. 10, 2001. Effective Jan. 1, 2002.