

April 21, 2005

**H 1392. FAILURE TO RETURN HIRED MOTOR VEHICLES. TO CLARIFY THE LAW AND PROCEDURE PERTAINING TO THE FAILURE TO RETURN A HIRED MOTOR VEHICLE.**

Provides that violation of GS 14-167 (failure to return hired property) is a class H felony (rather than a class 2 misdemeanor) if the value of the truck, automobile, or other motor vehicle that is not returned exceeds \$4,000. Enacts new GS 14-163.5 regarding prima facie evidence of intent to convert a truck, automobile, or other motor vehicle. Intent to violate GS 14-167, 14-168, or 14-168.1 may be established by evidence that person who has, by written instrument, leased or rented a truck, automobile, or other motor vehicle (1) has failed to return vehicle to lessor within 72 hours after written demand; (2) in prosecution under GS 14-167 has failed to pay any amount due that is incurred after lease has expired and written demand is made; or (3) when leasing or rental of vehicle is obtained by presentation of false or fictitious identification or information. Enacts new GS 20-102.2 requiring law enforcement officers to report failure to return leased motor vehicle to federal stolen vehicle system.

**Intro. by Glazier, Kiser.**

Ref. to Judiciary IV

GS 14, 20

May 23, 2005

**H 1392. FAILURE TO RETURN HIRED MOTOR VEHICLES.** Intro. 4/21/05. House committee substitute adopted 5/19/2005 makes the following changes to 1st edition. Changes title to *AN ACT TO CREATE A FELONY OFFENSE FOR FAILURE TO RETURN A HIRED MOTOR VEHICLE VALUED IN EXCESS OF FOUR THOUSAND DOLLARS*. Deletes provision making failure or refusal to pay amounts due after a lease, bailment, or rental agreement has expired prima facie evidence of intent to commit the felony of failure to return the hired motor vehicle. Makes technical changes. Changes effective date to December 1, 2005 (was, when it becomes law).

June 1, 2005

**H 1392. FAILURE TO RETURN HIRED MOTOR VEHICLES.** Intro. 4/21/05. House committee substitute makes the following changes to 2nd edition. Makes offense of failure to return a hired property valued over \$4,000 a Class 1 misdemeanor instead of a Class H felony.

June 22, 2005

**H 1392. FAILURE TO RETURN HIRED MOTOR VEHICLES.** Intro. 4/21/05. Senate committee substitute makes the following changes to 3rd edition. Provides that a person who fails to return a hired motor vehicle valued in excess of \$4,000 is guilty of a Class H felony (3rd edition, adopted 6/1/05, changed the penalty from a Class H felony to a Class 1 misdemeanor).

June 27, 2005

**H 1392. FAILURE TO RETURN HIRED MOTOR VEHICLES.** Intro. 4/21/05. Senate amendment makes the following changes to 4th edition. Fourth edition amended GS 14-167 to make the offense a Class H felony when the value of the motor vehicle is more than \$4,000. Amendment adds language clarifying that value is determined at the time of rental or hiring.

July 14, 2005

**SL 2005-182 (H 1392). FAILURE TO RETURN HIRED MOTOR VEHICLES. AN ACT TO CREATE A CLASS H FELONY OFFENSE FOR FAILURE TO RETURN A HIRED MOTOR VEHICLE VALUED IN EXCESS OF FOUR THOUSAND DOLLARS.** Summarized in *Daily Bulletin* 4/21/05, 5/23/05, 6/1/05, 6/22/05, and 6/27/05. Enacted July 12, 2005. Effective December 1, 2005.