

May 13, 2010

S 1136. REGULATE TOWING FROM PRIVATE LOTS. Filed 5/13/10. *TO STRENGTHEN THE REGULATION OF THE TOWING OF VEHICLES FROM PRIVATE LOTS IN CERTAIN COUNTIES AND CITIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.*

Amends GS 20-219.2 to require that private parking lots include the name and phone number of the towing and storage company on the sign prominently displayed at the lot's entrance. Requires that any vehicle that is removed for unauthorized parking in a private lot will not be transported for storage more than 15 miles from the lot. Requires that any person or company that tows or stores an unauthorized vehicle parked in a private lot will charge reasonable rates, and will not charge a fee that exceeds the fee charged for other service calls by the person or company for the same service, labor, or conditions. Adds Mecklenburg County to the list of counties to which the bill applies.

Intro. by Rucho.

GS 20

June 9, 2010

S 1136. REGULATE TOWING FROM PRIVATE LOTS. Filed 5/13/10. Senate committee substitute makes the following changes to 1st edition.

Amends GS 20-219.2 to clarify language, stating that it is unlawful to park a motor or other vehicle in a privately owned or leased parking space of another, without express permission, *if the* lot is clearly designated as privately owned or leased. Emphasizes that if a private parking lot is individually owned or leased, the parking spaces within the lot must be clearly marked by signs displaying the name of each individual lessee or owner. Adds new subsection (a3) to provide that any person or company that tows or stores a vehicle under the section may not require any person retrieving a vehicle to sign a waiver of rights or similar document as a condition of the vehicle's release, other than a form acknowledging release and receipt. Amends GS 20-219.2(b) to increase to no more than \$100 (was, \$10) the fee for violating any provision of the section, in the discretion of the court. Clarifies that the section applies also to municipalities in the counties listed in subsection (c). Removes the city of Durham from the list of cities to which the section applies. Adds subsection (d) to provide that no provision of the statute preempts the authority of a county or municipality to enact ordinances regulating towing from private lots. Makes technical changes.

Amends GS 7A-292 to authorize magistrates to determine whether a violation of GS 20-219.2(a2) (charge reasonable fees) occurred.

Adds that the act applies to vehicles towed on or after the effective date of October 1, 2010.

June 30, 2010

S 1136. REGULATE TOWING FROM PRIVATE LOTS. Filed 5/13/10. House committee substitute makes the following changes to 2nd edition.

Amends GS 20-219.2 (regarding the removal of unauthorized vehicles from private lots) to clarify that if individually owned or leased, the parking lot or spaces within the parking lot must be clearly marked (was, parking spaces within the lot must be clearly marked) by signs with the name of each lessee or owner.

Deletes the provision that restricts towing and storage companies from charging a fee that is more than the fee that other towing and storage companies charge for providing the same services.

Adds provision requiring a person that tows or stores a vehicle under this statute to inform the owner of the towed or stored vehicle in writing at the time of the retrieval that the owner has the right to pay the lien asserted, request immediate possession of the vehicle, and contest the lien under the provisions of GS 44A-4.

Changes the penalty for violating the provisions of the statute from a Class 3 misdemeanor to an infraction, but retains the higher penalty of \$100.

Adds Cumberland County to the list of counties to which this statute applies.

July 1, 2010

S 1136. REGULATE TOWING FROM PRIVATE LOTS. Filed 5/13/10. House committee substitute makes the following changes to 3rd edition. Amends proposed GS 20-219.2(a1) to provide that if a vehicle is removed and there is a storage place within 15 miles, the vehicle must not be transported for storage more than 15 miles from the place of removal; prohibits all other vehicles from being transported more than 25 miles from the place of removal for storage (previous edition prohibited all vehicles from being transported for storage more than 15 miles away from the place of removal).

July 6, 2010

S 1136. REGULATE TOWING FROM PRIVATE LOTS. Filed 5/13/10. House amendment makes the following change to 4th edition.

Amends GS 20-219.2(c) to restore Durham to the list of cities to which the section applies.

July 28, 2010

SL 2010-134 (S 1136). REGULATE TOWING FROM PRIVATE LOTS. AN ACT TO STRENGTHEN THE REGULATION OF THE TOWING OF VEHICLES FROM PRIVATE LOTS IN CERTAIN COUNTIES AND CITIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE. Summarized in *Daily Bulletin* 5/13/10, 6/9/10, 6/30/10, 7/1/10, and 7/6/10. Enacted July 21, 2010. Effective October 1, 2010.