

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

H.B. 577
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH10273-MWa-26

Short Title: Protect Towers and Truckers Act. (Public)

Sponsors: Representative McNeely.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ENACT THE PROTECT OUR NORTH CAROLINA TOWERS AND
3 TRUCKERS ACT.

4 The General Assembly of North Carolina enacts:

5
6 **TITLE**

7 **SECTION 1.** This act shall be known as the "Protect Our North Carolina Towers
8 and Truckers Act."

9
10 **CREATION OF THE TOWING AND RECOVERY COMMISSION**

11 **SECTION 2.1.** Article 17 of Chapter 143B of the General Statutes is amended by
12 adding a new Part to read:

13 "Part 4. Towing and Recovery Commission.

14 **"§ 143B-1765. Creation and purpose.**

15 (a) There is created the Towing and Recovery Commission within the State Highway
16 Patrol.

17 (b) The purpose of the commission is to decide disputes arising from fees charged by a
18 towing service for towing and remediation services provided in response to a request from law
19 enforcement or other government entity that uses the State Highway Patrol rotation system.

20 **"§ 143B-1766. Commission membership and meetings.**

21 (a) The commission shall be comprised of the following members:

22 (1) One voting member that is a State Highway Patrol Major appointed by the
23 Commander. This member shall be the chair of the commission.

24 (2) One voting member appointed by the North Carolina Association of Chiefs of
25 Police.

26 (3) One voting member and one alternate member appointed by the North
27 Carolina Trucking Association. The alternate member may serve as the voting
28 member in the absence of the appointed voting member.

29 (4) One voting member and one alternate member appointed by the Towing and
30 Recovery Professionals of North Carolina. The alternate member may serve
31 as the voting member in the absence of the appointed voting member.

32 (5) One voting member with experience in towing recovery and repair appointed
33 by the Commissioner of the Department of Insurance.

34 (6) One nonvoting member appointed by the Secretary of the Department of
35 Public Safety from the Office of Legal Counsel.



1 (a) A tower shall obtain a towing permit from the Division of Motor Vehicles before
2 operating in the State.

3 (b) A towing permit issued under this Article shall be valid for a period of two years
4 unless sooner revoked or suspended by the Division.

5 (c) A tower shall pay to the Division a nonrefundable fee for the initial application and
6 for the renewal application of a towing permit. The fee shall not exceed the total direct and
7 indirect costs of administering the issuance of towing permits under this Article.

8 (d) A tower shall pay the costs associated with any background checks required by this
9 Article for a towing permit.

10 (e) A towing permit issued under this Article is nontransferable. If a towing business is
11 sold, the new owner must apply for a new towing permit.

12 **"§ 20-219.37. Application requirements.**

13 (a) The Division shall prescribe the form of the application for a towing permit under this
14 Article. The application must require information sufficient to confirm compliance with this
15 Article.

16 (b) The Division shall not issue a towing permit unless the applicant provides proof of
17 meeting all of the following requirements:

18 (1) Under the current felony classifications set forth by the State Highway Patrol,
19 a background check shows, if the applicant is a tow truck operator, the
20 applicant has had no felony convictions within the previous five years, and if
21 the applicant is a towing business owner, the applicant has had no felony
22 convictions within the previous 10 years.

23 (2) The applicant has a valid drivers license.

24 (3) The applicant has a valid storage yard that complies with the minimum space
25 requirements of the city, county, and State zoning regulations with proper
26 zoning permits.

27 (4) If the applicant is a towing business owner, the applicant carries the minimum
28 insurance requirements required by the State for on-hook liability and garage
29 keepers insurance.

30 (5) The applicant has completed an accredited training program, including
31 additional training for heavy-duty drivers as necessary. This training must
32 offer continuing education credits.

33 (6) If the applicant is a towing business owner, the applicant maintains workers
34 compensation insurance in compliance with State law.

35 (7) If the applicant is a towing business owner, the owner is a United States
36 citizen, or has a valid visa or proper immigration documentation.

37 **"§ 20-219.38. Permit issuance and renewal.**

38 (a) The Division shall not issue or renew a permit unless:

39 (1) The application is complete and all required criteria are met.

40 (2) The applicant demonstrates the ability and intent to comply with this Article
41 and all other applicable laws.

42 (b) An appeal of a towing permit denied, suspended, or revoked by the Division shall be
43 governed by the provisions of Chapter 150B of the General Statutes.

44 (c) The DMV may provide temporary registration or authorization effective upon
45 submission of an application. Temporary authorization expires upon issuance or denial of
46 permanent registration.

47 **"§ 20-219.39. Permit requirements.**

48 (a) A person issued a towing permit in accordance with this Article shall report to the
49 Division within 14 days of any felony or misdemeanor conviction.

50 (b) A tow truck operator issued a towing permit in accordance with this Article shall carry
51 proof of registration while operating a tow truck.

1 **"§ 20-219.40. Commercial booting.**

2 A commercial motor vehicle shall not be immobilized using a device such as a boot. Using
3 an immobilization device on a commercial vehicle will be deemed a misdemeanor.

4 **"§ 20-219.41. Unlawful towing practices.**

5 Engaging in private property impound booting or towing without a valid permit constitutes
6 an unfair trade practice under G.S. 75-1.1."

7 **SECTION 3.2.** The Division of Motor Vehicles and the State Highway Patrol shall
8 publish notice of the requirements set forth in Article 7C of Chapter 20 of the General Statutes,
9 as enacted by this section, within 30 days of the passage of this bill.

10
11 **TOWERS AND POSSESSORY LIENS ON VEHICLES, TRAILERS, AND CONTENTS**

12 **SECTION 4.** G.S. 44A-2 reads as rewritten:

13 **"§ 44A-2. Persons entitled to lien on personal property.**

14 ...

15 (d) Any person who repairs, services, tows, or stores motor vehicles in the ordinary
16 course of the person's business pursuant to an express or implied contract with an owner or legal
17 possessor of the motor vehicle, except for a motor vehicle seized pursuant to G.S. 20-28.3, has a
18 lien upon the motor vehicle for reasonable charges for such repairs, servicing, towing, storing, or
19 for the rental of one or more substitute vehicles provided during the repair, servicing, or storage.
20 This lien shall have priority over perfected and unperfected security interests. Payment for towing
21 and storing a motor vehicle seized pursuant to G.S. 20-28.3 shall be as provided for in
22 G.S. 20-28.2 through G.S. 20-28.5.

23 (d1) Any person who is entitled to a lien under subsection (d) of this section for towing a
24 vehicle is also entitled to a lien on the contents of the motor vehicle, any trailer attached to the
25 vehicle at the time of towing, and the contents of the trailer, including other vehicles and boats.
26 A lien under this section shall not extend to personal items, including medications, wallets, purses
27 and their contents, prescription eyeglasses, prosthetics, cell phones, and keys. These items shall
28 be released without charge to the owner or operator of the towed vehicle or an authorized
29 representative of the owner or operator.

30 (d2) Notwithstanding subsection (d1) of this section, in cases of a dispute of a heavy-duty
31 wrecker rotation tow, cargo shall be returned upon verification of required collision insurance
32 coverage or a rider for towing and remediation for commercial motor vehicles operating in North
33 Carolina. This shall occur via a trailer swap completed by the tower. The swapped trailer must
34 be of equal or better condition than the original towed trailer and owned, leased, or operated by
35 the same company. The insurance requirement does not apply to farm vehicles with farm tags.
36 For purposes of this subsection, "cargo" is freight that is subject to a bill of lading.

37"

38
39 **EFFECTIVE DATE**

40 **SECTION 5.** This act is effective when it becomes law. Section 3.1 of this act applies
41 to a tower operating in this State on or after six months from the effective date of this act.