

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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HOUSE BILL 340

Short Title: AFVs - HOV Use/Prime Parking.

(Public)

Sponsors: Representatives Tolson; Alexander, Hackney, and Insko.

Referred to: Transportation, if favorable, Finance.

March 1, 2001

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT ALTERNATIVE FUELED VEHICLES MAY USE
HIGH OCCUPANCY VEHICLE LANES AND MAY USE PARKING SPACES
DESIGNATED FOR ALTERNATIVE FUELED VEHICLES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-146.2(a) reads as rewritten:

"(a) The Department of Transportation may designate one or more travel lanes as high occupancy vehicle (HOV) lanes on streets and highways on the State Highway System and cities may designate one or more travel lanes as high occupancy vehicle (HOV) lanes on streets on the Municipal Street System. HOV lanes shall be reserved for vehicles with a specified number of passengers and alternative fueled vehicles as determined by the Department of Transportation or the city having jurisdiction over the street or highway. When HOV lanes have been designated, and have been appropriately marked with signs or other markers, they shall be reserved for privately or publicly operated buses, ~~and~~ automobiles or other vehicles containing the specified number of ~~persons~~ persons and alternative fueled vehicles."

SECTION 2. Chapter 20 of the General Statutes is amended by adding a new section to read:

§ 20-37.6B. Parking privileges for alternative fueled vehicles.

(a) Any alternative fueled vehicle that displays a distinguishing license plate may be parked in spaces designated for alternative fueled vehicles. Designation of parking spaces for alternative fueled vehicles on streets and public vehicular areas shall comply with G.S. 136-30. A sign designating a parking space for alternative fueled vehicles shall state the maximum penalty for parking in the space in violation of the law.

(b) It shall be unlawful to park or leave standing any vehicle in a space designated with a sign pursuant to subsection (a) of this section for alternative fueled vehicles when the vehicle does not display the distinguishing license plate as provided in G.S. 20-79.4(b)(1a).

1 (c) A violation of G.S. 20-37.6B(b) is an infraction which carries a penalty of at least
 2 one hundred dollars (\$100.00) but not more than two hundred fifty dollars (\$250.00)
 3 and whenever evidence shall be presented in any court of the fact that any automobile,
 4 truck, or other vehicle was found to be parked in a properly designated handicapped
 5 parking space in violation of the provisions of this section, it shall be prima facie
 6 evidence in any court in the State of North Carolina that the vehicle was parked and left
 7 in the space by the person, firm, or corporation in whose name the vehicle is registered
 8 and licensed according to the records of the Division. No evidence tendered or
 9 presented under this authorization shall be admissible or competent in any respect in
 10 any court or tribunal except in cases concerned solely with a violation of this section.

11 (d) A law-enforcement officer, including a company police officer commissioned by
 12 the Attorney General under Chapter 74E, may cause a vehicle parked in violation of this
 13 section to be towed. The officer is a legal possessor as provided in G.S. 20-161(d)(2).
 14 The officer shall not be held to answer in any civil or criminal action to any owner,
 15 lienholder or other person legally entitled to the possession of any motor vehicle
 16 removed from a space pursuant to this section, except where the motor vehicle is
 17 willfully, maliciously, or negligently damaged in the removal from the space to a place
 18 of storage.

19 (e) Notwithstanding any other provision of the General Statutes, the provisions of
 20 this section relative to handicapped parking shall be enforced by State, county, city, and
 21 other municipal authorities in their respective jurisdictions whether on public or private
 22 property in the same manner as is used to enforce other parking laws and ordinances by
 23 said agencies."

24 **SECTION 3.** G.S. 20-79.4(b) reads as rewritten:

25 "(b) Types. – The Division shall issue the following types of special registration
 26 plates:

27 ...
 28 (1a) Alternative Fueled Vehicles.—Issuable to the registered owner of an
 29 alternative fueled vehicle. The plate shall bear the words "Alternative
 30 Fueled Vehicle."

31 **SECTION 4.** G.S. 20-79.7(a) reads as rewritten:

32 "(a) Fees. – Upon request, the Division shall provide and issue free of charge one
 33 registration plate to a recipient of the Congressional Medal of Honor, a 100% disabled
 34 veteran, and an ex-prisoner of war. All other special registration plates, including
 35 additional Congressional Medal of Honor, 100% Disabled Veteran, and Ex-Prisoner of
 36 War plates, are subject to the regular motor vehicle registration fee in G.S. 20-87 or
 37 G.S. 20-88 plus an additional fee in the following amount:

<u>Special Plate</u>	<u>Additional Fee Amount</u>
38 Historical Attraction	\$30.00
39 State Attraction	\$30.00
40 Collegiate Insignia	\$25.00
41 Goodness Grows	\$25.00
42 Kids First	\$25.00
43 Olympic Games	\$25.00

1	Special Olympics	\$25.00
2	University Health Systems of Eastern Carolina	\$25.00
3	Animal Lovers	\$20.00
4	Ducks Unlimited	\$20.00
5	Litter Prevention	\$20.00
6	March of Dimes	\$20.00
7	Omega Psi Phi Fraternity	\$20.00
8	Scenic Rivers	\$20.00
9	School Technology	\$20.00
10	Soil and Water Conservation	\$20.00
11	Support Public Schools	\$20.00
12	Wildlife Resources	\$20.00
13	Personalized	\$20.00
14	Active Member of the National Guard	None
15	100% Disabled Veteran	None
16	Ex-Prisoner of War	None
17	Legion of Valor	None
18	Purple Heart Recipient	None
19	Silver Star Recipient	None
20	<u>Alternative Fueled Vehicles</u>	<u>None</u>
21	All Other Special Plates	\$10.00."
22	SECTION 5. This act becomes effective October 1, 2001.	