

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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HOUSE DRH30257-MA-360 (03/26)

Short Title: Wrecker Service Fees/Duties of SHP. (Public)

Sponsors: Representatives Cole and Faison (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROHIBIT THE DEPARTMENT OF CRIME CONTROL AND PUBLIC  
3 SAFETY FROM REGULATING THE FEE AMOUNT CHARGED BY A WRECKER  
4 SERVICE THAT PARTICIPATES IN THE ROTATION WRECKER SYSTEM FOR THE  
5 STATE HIGHWAY PATROL FOR TOWING, REMOVAL, RECOVERY, AND  
6 STORAGE.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** Chapter 20 of the General Statutes is amended by adding a new  
9 section to read:

10 "**§ 20-187A. Wrecker service fees; crash scenes.**

11 (a) Notwithstanding the provisions of G.S. 20-187, the Secretary of Crime Control and  
12 Public Safety is prohibited from establishing any orders, rules, or regulations related to the fees  
13 that may be charged by a wrecker service operator for towing, recovery, removal, or storage of  
14 a vehicle. Neither the Secretary of Crime Control and Public Safety nor the Commander of the  
15 State Highway Patrol shall prohibit inclusion in the rotation wrecker service list maintained by  
16 the State Highway Patrol for any reason based on a fee charged by a wrecker service operator.  
17 Any order, rule, or regulation regarding wrecker service fees in existence at the time this  
18 section becomes law is repealed.

19 (b) No law enforcement officer, agent, or State trooper investigating a crash, as required  
20 by G.S. 20-166.1, may leave the scene of a crash investigation until all vehicles and debris are  
21 cleared from the roadway and the flow of traffic is restored.

22 (c) Notwithstanding any rule of the Department of Crime Control and Public Safety to  
23 the contrary, any tow or wrecker service that is removed from the State Highway Patrol rotation  
24 wrecker service list may have an attorney represent them in any administrative or civil  
25 proceeding regarding removal from the list."

26 **SECTION 2.** This act becomes effective October 1, 2009.

