

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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SENATE BILL 1136

Short Title: Regulate Towing From Private Lots. (Public)

Sponsors: Senators Rucho; Bingham, Brown, Brunstetter, Clodfelter, Dannelly, Forrester, Goodall, Graham, Hoyle, Jones, Preston, Rouzer, Stevens, and Tillman.

Referred to: Transportation.

May 17, 2010

1 A BILL TO BE ENTITLED  
2 AN ACT TO STRENGTHEN THE REGULATION OF THE TOWING OF VEHICLES  
3 FROM PRIVATE LOTS IN CERTAIN COUNTIES AND CITIES, AS RECOMMENDED  
4 BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. G.S. 20-219.2 reads as rewritten:

7 "§ 20-219.2. **Removal of unauthorized vehicles from private lots.**

8 (a) It shall be unlawful for any person other than the owner or lessee of a privately  
9 owned or leased parking space to park a motor or other vehicle in such private parking space  
10 without the express permission of the owner or lessee of such space; provided, that such private  
11 parking lot be clearly designated as such by a sign no smaller than 24 inches by 24 inches  
12 prominently displayed at the entrance ~~thereto~~ thereto, displaying the name and phone number  
13 of the towing and storage company, and the parking spaces within the lot be clearly marked by  
14 signs setting forth the name of each individual lessee or owner; a vehicle parked in a privately  
15 owned parking space in violation of this section may be removed from such space upon the  
16 written request of the parking space owner or lessee to a place of storage and the registered  
17 owner of such motor vehicle shall become liable for removal and storage charges. Any person  
18 who removes a vehicle pursuant to this section shall not be held liable for damages for the  
19 removal of the vehicle to the owner, lienholder or other person legally entitled to the possession  
20 of the vehicle removed; however, any person who intentionally or negligently damages a  
21 vehicle in the removal of such vehicle, or intentionally or negligently inflicts injury upon any  
22 person in the removal of such vehicle, may be held liable for damages.

23 (a1) Any vehicle removed pursuant to this section shall not be transported for storage  
24 more than 15 miles from the place of removal.

25 (a2) Any person or company that tows or stores a vehicle pursuant to this section shall  
26 charge reasonable fees for the services rendered, and any fee charged shall not exceed the fee  
27 for other service calls the person or company provides for the same service, labor, and  
28 conditions.

29 (b) Any person violating any of the provisions of this section shall be guilty of a Class 3  
30 misdemeanor and upon conviction shall be only fined not more than ten dollars (\$10.00) in the  
31 discretion of the court.

32 (c) This section shall apply only to the Counties of Craven, Dare, Forsyth, Gaston,  
33 Guilford, Mecklenburg, New Hanover, Orange, Richmond, Robeson, Wake, Wilson and to the  
34 Cities of Durham, Jacksonville, Charlotte and Fayetteville. "

35 SECTION 2. This act becomes effective October 1, 2010.

