

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 754

Short Title: Motor Vehicle Liens.

(Public)

Sponsors: Senators Rand, Soles, Perdue, and Hobbs.

Referred to: Judiciary II/Election Laws

April 18, 1995

A BILL TO BE ENTITLED

1 AN ACT TO ALLOW MOTOR VEHICLE DEALERS TO INCLUDE IN THEIR
2 POSSESSORY LIENS AMOUNTS FOR RENTAL OF SUBSTITUTE VEHICLES
3 AND TO ALLOW LIENORS WHO PURCHASE FOR VALUE AT A SALE TO
4 ACQUIRE CLEAR TITLE TO THE SAME EXTENT AS OTHER PURCHASERS.
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6 The General Assembly of North Carolina enacts:

7 Section 1. G.S. 44A-2(d) reads as rewritten:

8 "(d) Any person who repairs, services, tows, or stores motor vehicles in the
9 ordinary course of his business pursuant to an express or implied contract with an owner
10 or legal possessor of the motor vehicle has a lien upon the motor vehicle for reasonable
11 charges for such repairs, servicing, towing, ~~or storing~~ storing, or for the rental of one or
12 more substitute vehicles provided during the repair, servicing, or storage. This lien shall
13 have priority over perfected and unperfected security interests."

14 Sec. 2. G.S. 44A-6 reads as rewritten:

15 "**§ 44A-6. Title of purchaser.**

16 A purchaser for value at a properly conducted sale, and a purchaser for value without
17 constructive notice of a defect in the ~~sale who is sale, whether or not the purchaser is the~~
18 lienor or an agent of the lienor, acquires title to the property free of any interests over
19 which the lienor was entitled to priority."

20 Sec. 3. This act is effective upon ratification.