

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

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HOUSE BILL 1299

Short Title: Abandoned/Junked Vehicle Fund. (Public)

Sponsors: Representatives Culpepper; and Luebke.

Referred to: Finance.

May 15, 2003

A BILL TO BE ENTITLED
AN ACT TO ESTABLISH A COUNTY AND MUNICIPALITY OPERATED
ABANDONED AND JUNKED MOTOR VEHICLE ABATEMENT PROGRAM
FUNDED WITH FEES COLLECTED ON THE REGISTRATION OF PRIVATE
PASSENGER VEHICLES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-87 reads as rewritten:

"§ 20-87. Passenger vehicle registration fees.

These shall be paid to the Division annually, as of the first day of January, for the registration and licensing of passenger vehicles, fees according to the following classifications and schedules:

- ...
- (5) Private Passenger Vehicles. – There shall be paid to the Division annually, as of the first day of January, for the registration and licensing of private passenger vehicles, fees according to the following classifications and schedules:

Private passenger vehicles of not more than fifteen
Passengers \$20.00

Private passenger vehicles over fifteen passengers..... 23.00

Provided, that a fee of only one dollar (\$1.00) shall be charged for any vehicle given by the federal government to any veteran on account of any disability suffered during war so long as such vehicle is owned by the original donee or other veteran entitled to receive such gift under Title 38, section 252, United States Code Annotated.

An additional fee of three dollars (\$3.00) shall be paid to the Division annually upon the registration of each private passenger vehicle of not more than fifteen passengers registered pursuant to this subdivision to fund the Abandoned and Junked Motor Vehicle Abatement Program created in Part 9A of this Chapter."

1 **SECTION 2.** G.S. 20-137.7 reads as rewritten:

2 **"§ 20-137.7. Definitions of words and phrases.**

3 The following words and phrases when used in this Part shall for the purpose of this
4 Part have the meaning respectively prescribed to them in this Part, except in those
5 instances where the context clearly indicates a different meaning:

6 (1) "Abandoned vehicle" means a motor vehicle that has remained
7 illegally on private or public property for a period of more than 10
8 days without the consent of the owner or person in control of the
9 property.

10 (2) "Demolisher" means any person, firm or corporation whose business is
11 to convert a motor vehicle into processed scrap or scrap metal or
12 otherwise to wreck, or dismantle, such a vehicle.

13 (3) "Department" means the North Carolina Department of
14 Transportation.

15 (4) "Derelict vehicle" means a motor vehicle:

16 a. Whose certificate of registration has expired and the registered
17 and legal owner no longer resides at the address listed on the
18 last certificate of registration on record with the North Carolina
19 Department of Transportation; or

20 b. Whose major parts have been removed so as to render the
21 vehicle inoperable and incapable of passing inspection as
22 required under existing standards; or

23 c. Whose manufacturer's serial plates, vehicle identification
24 numbers, license number plates and any other means of
25 identification have been removed so as to nullify efforts to
26 locate or identify the registered and legal owner; or

27 d. Whose registered and legal owner of record disclaims
28 ownership or releases his rights thereto; or

29 e. Which is more than 12 years old and does not bear a current
30 license as required by the Department.

31 (5) "Officer" means any law-enforcement officer of the State, of any
32 county or of any municipality including county sanitation officers.

33 (5a) "Participating County" means a county that has adopted an ordinance
34 pursuant to G.S. 153A-132 and given notice of that action to the
35 Secretary on or before January 1, 2004.

36 (5b) "Participating Municipality" means a city or town that has adopted an
37 ordinance pursuant to G.S. 160A-303.2 and given notice of that action
38 to the Secretary on or before January 1, 2004.

39 (6) "Salvage yard" means a business or a person who possesses five or
40 more derelict vehicles, regularly engages in buying and selling used
41 vehicle parts.

42 (7) "Secretary" means the Secretary of the North Carolina Department of
43 Transportation.

- 1 (8) "Tag" means any type of notice affixed to an abandoned or derelict
2 motor vehicle advising the owner or the person in possession that the
3 same has been declared an abandoned or derelict vehicle and will be
4 treated as such, which tag shall be of sufficient size as to be easily
5 discernible and contain such information as the Secretary deems
6 necessary to enforce this Part.
- 7 (9) "Vehicle" means every device in, upon, or by which any person or
8 property is or may be transported or drawn upon a highway by
9 mechanical means.
- 10 (10) "Vehicle recycling" means the process whereby discarded vehicles
11 (abandoned, derelict or wrecked) are collected and then processed by
12 shredding, bailing or shearing to produce processed scrap iron and
13 steel which is then remelted by steel mills and foundries to make raw
14 materials which are subsequently used to manufacture new
15 metal-based products for the consumer."

16 **SECTION 3.** Part 9A of Article 3 of Chapter 20 of the General Statutes is
17 amended by adding a new section to read:

18 **"§ 20-137.8A. Abandoned and junked motor vehicle abatement program.**

19 (a) It shall be the responsibility of local governments to administer the removal
20 and disposal of abandoned and junked motor vehicles in the manner prescribed in G.S.
21 153A-132 and G.S. 160A-303.2.

22 (b) All abandoned motor vehicles left on the right-of-way of any road or highway
23 in this State may be removed in accordance with G.S. 20-161."

24 **SECTION 4.** Part 9A of Article 3 of Chapter 20 of the General Statutes is
25 amended by adding a new section to read:

26 **"§ 20-137.8B. Distribution of abandoned and junked motor vehicle abatement**
27 **fees.**

28 (a) The Department shall distribute the proceeds of the fee imposed by G.S.
29 20-87(5) on an annual basis to every participating county on a per capita basis.

30 (b) A participating county may distribute a portion of its fee proceeds to any
31 participating municipality within its territory for abandoned and motor vehicle
32 abatement purposes.

33 (c) The Department may retain, for administrative costs associated with the
34 collection of the fee, two hundred twenty-five thousand dollars (\$225,000) each fiscal
35 year."

36 **SECTION 5.** Part 9A of Article 3 of Chapter 20 of the General Statutes is
37 amended by adding a new section to read:

38 **"§ 20-137.8C. Use of abandoned and junked motor vehicle abatement fees.**

39 A participating county may use the proceeds of the fee distributed pursuant to G.S.
40 137.8B only for the removal and disposal of abandoned and junked motor vehicles as
41 provided in this Part."

42 **SECTION 6.** G.S. 20-137.10, G.S. 20-137.11, and G.S. 20-137.12 are
43 repealed.

44 **SECTION 7.** This act becomes effective July 1, 2003.