

NORTH CAROLINA GENERAL ASSEMBLY
1977 SESSION

CHAPTER 1187
HOUSE BILL 1424

AN ACT TO CLARIFY THE PROVISIONS OF THE STATUTES RELATING TO MOBILE HOME PERMITS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-316.1, G.S. 105-316.5, and G.S. 105-316.6 are hereby amended by deleting the words "moving permit" wherever those words shall appear conjunctively in those statutes, and by inserting in lieu thereof the words, "tax permit".

Sec. 2. G.S. 105-316.1(b) is hereby rewritten to read as follows:

"(b) Except as provided in G.S. 105-316.4, manufacturers, retailers and licensed carriers of mobile homes shall not be required to obtain the tax permits required by this act. Persons or firms transporting mobile homes shall, however, be responsible for seeing that a proper license tag, and when required under this section, a tax permit, are properly displayed thereon at all times during their transportation."

Sec. 3. G.S. 105-316.4 is hereby amended to read as follows:

"§ 105-316.4. Issuance of permits under repossession. — Notwithstanding the provisions of G.S. 105-316.2(a) and G.S. 105-316.3(a), above, any person who intends to take possession of a mobile home, whether by judicial or nonjudicial authority, as a holder of a lien on said mobile home shall apply for, and be issued, the permit herein provided without paying all taxes due to be paid by the owner of the mobile home being repossessed, upon notifying the tax collector of the location in North Carolina to which the mobile home is to be taken. At the time of notification the tax collector shall render to the holder of the lien a statement of taxes due against only the mobile home. Within seven days of the issuance of the permit the applicant shall pay to the tax collector the taxes due as set forth in the statement.

Notwithstanding the foregoing, any applicant who is a nonresident of North Carolina must pay the taxes due as set forth above at the time of notification to the tax collector and application for the permit.

Upon issuance of the permit and the payment of any taxes as prescribed herein, the mobile home shall no longer be subject to levy or attachment of any lien for any other taxes then owed by the owner thereof, whether or not previously determined."

Sec. 4. Subsections (a), (b) and (c) of G.S. 105-316.6 are hereby amended by deleting the words and figures "fifty dollars (\$50.00)" wherever the same shall appear in those subsections and by substituting in lieu thereof the words and figures "two hundred fifty dollars (\$250.00)".

Sec. 5. Subsection (d) of G.S. 105-316.6 is hereby rewritten to read as follows:

"(d) Any law enforcement officer of this State who apprehends any person violating the provisions of this Article shall detain such person and mobile home until satisfactory arrangements have been made to meet the requirements of this Article."

Sec. 6. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 16th day of June, 1978.