

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 1254

Short Title: DWI Vehicle Impoundment.

(Public)

Sponsors: Representatives Miller; and Bowman.

Referred to: Judiciary.

April 12, 1989

A BILL TO BE ENTITLED

AN ACT TO REQUIRE VEHICLE IMPOUNDMENT WHEN A LEVEL ONE OR TWO PUNISHMENT IS IMPOSED FOR DRIVING WHILE IMPAIRED.

The General Assembly of North Carolina enacts:

Section 1. Part 12 of Article 13 of Chapter 20 of the General Statutes is amended by adding a new section to read:

**"§ 20-179.5. Impoundment of vehicle for driving while impaired.**

(a) When a Level One or Level Two punishment is imposed pursuant to G.S. 20-179, the judge shall also order that the motor vehicle driven by the defendant at the time of the offense be impounded for a period of seven consecutive days if that vehicle was owned or co-owned by the defendant at the time of the offense. There shall be a presumption that the vehicle being driven at the time of the offense was owned by the defendant, which presumption may be rebutted by the vehicle registration card or certificate of title showing otherwise.

(b) The impounded vehicle may be stored in any public or private parking lot, garage, or other appropriate place. The storage charges and towing fees shall be paid by the defendant and the charges and fees shall constitute a lien upon the vehicle pursuant to Chapter 44A."

Sec. 2. This act shall become effective January 1, 1990.