

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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HOUSE BILL 105
Committee Substitute Favorable 3/13/19

Short Title: Red-Light Cameras.

(Local)

Sponsors:

Referred to:

February 20, 2019

A BILL TO BE ENTITLED

AN ACT TO MAKE CHANGES TO THE LAW GOVERNING RED-LIGHT CAMERAS IN
THE TOWNS OF HOPE MILLS AND SPRING LAKE AND THE CITY OF
FAYETTEVILLE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 160A-300.1(d) reads as rewritten:

"(d) This section applies only to the Cities of Albemarle, Charlotte, Durham, Fayetteville, Greensboro, Greenville, High Point, Locust, Lumberton, Newton, Rocky Mount, and Wilmington, to the Towns of Chapel Hill, Cornelius, Hope Mills, Huntersville, Matthews, Nags Head, Pineville, and Spring Lake, and to the municipalities in Union County."

SECTION 2. Section 3 of S.L. 2007-341, as amended by Section 1 of S.L. 2016-64, reads as rewritten:

"**SECTION 3.** Section 1 of this act applies to the Cities of Albemarle, Charlotte, Durham, Fayetteville, Greenville, Locust, and ~~Rocky Mount~~ Rocky Mount, to the Towns of Hope Mills and Spring Lake, and to the municipalities in Union County."

SECTION 3. G.S. 160A-300.1(c)(2), as amended by Section 1 of S.L. 2007-341, reads as rewritten:

"(2) A violation detected by a traffic control photographic system shall be deemed a noncriminal violation for which a civil penalty of ~~seventy-five dollars (\$75.00)~~ one hundred dollars (\$100.00) shall be assessed, and for which no points authorized by G.S. 20-16(c) shall be assigned to the owner or driver of the vehicle nor insurance points as authorized by G.S. 58-36-65."

SECTION 4. G.S. 160A-300.1(c)(3), as amended by Section 1 of S.L. 2007-341, reads as rewritten:

"(3) The owner of the vehicle shall be issued a citation which shall clearly state when the penalty is due and the manner in which the violation may be challenged. The owner shall comply with the directions on the citation. The citation shall be processed by officials or agents of the municipality and shall be forwarded by personal service or first class mail to the address given on the motor vehicle registration. If the owner fails to pay the civil penalty or to respond to the citation within 30 days after the date the citation is served or mailed, the owner shall have waived the right to contest responsibility for the violation, and ~~shall be subject to a the civil penalty not to exceed assessed pursuant to subdivision (2) of this subsection, if less than one hundred dollars (\$100.00), may be increased to an amount not to exceed one hundred dollars (\$100.00).~~ The total amount of the combined civil penalty assessed pursuant



1 to subdivisions (2) and (3) of this subsection shall not exceed one hundred
2 dollars (\$100.00). The municipality may establish procedures for the
3 collection of these penalties and may enforce the penalties by civil action in
4 the nature of debt."

5 **SECTION 5.** G.S. 160A-300.1(c), as amended by Section 1 of S.L. 2007-341, is
6 amended by adding a new subdivision to read:

7 "(4a) A municipality enacting an ordinance implementing a traffic control
8 photographic system may enter into a contract with a contractor for the lease,
9 lease-purchase, or purchase of the system. The municipality may enter into
10 only one contract for the lease, lease-purchase, or purchase of the system, and
11 the duration of the contract may be for no more than 60 months. After the
12 period specified in the contract has expired, the system shall either be the
13 property of the municipality or removed and returned to the contractor."

14 **SECTION 6.** The Cumberland County Board of Education may enter into, with a
15 town listed in this section, an interlocal agreement necessary and proper to effectuate the purpose
16 and intent of G.S. 160A-300.1 and this act. Any agreement entered into pursuant to this section
17 may include provisions on cost-sharing and reimbursement that the Cumberland County Board
18 of Education and the town freely and voluntarily agree to for the purpose of effectuating the
19 provisions of G.S. 160A-300.1 and this act. The towns authorized in this section are Hope Mills
20 and Spring Lake.

21 **SECTION 7.** Section 4 of this act applies to the City of Fayetteville and to the Towns
22 of Hope Mills and Spring Lake. The remainder of this act applies only to the Towns of Hope
23 Mills and Spring Lake and the Cumberland County Board of Education.

24 **SECTION 8.** Section 3 of this act becomes effective October 1, 2019, and applies to
25 violations committed on or after that date. The remainder of this act becomes effective July 1,
26 2019.