

REQUEST FOR TECHNICAL CHANGE

AGENCY: Department of Administration

RULE CITATION: 01 NCAC 04A .0201

DEADLINE FOR RECEIPT: Tuesday, August 8, 2017

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Consider revising this Rule as follows:

- (a) Any vehicle parked in violation of G.S. 143-340 or these rules shall be subject to impoundment and removal to a place of storage operated by a privately-owned garage or towing service, at the expense of the owner, pursuant to G.S. 143-340.
- (b) If a call is made for towing services and the owner or operator of the vehicle to be towed returns to the unattended vehicle before the arrival of the towing vehicle, the vehicle shall not be released unless a service charge for answering such a call, if required by the towing service, is paid to the towing service by the owner or operator.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Jason Thomas
Commission Counsel
Date submitted to agency: July 25, 2017

1 01 NCAC 04A.0201 is readopted as published in 31:12 NCR 1227 as follows:

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3 **01 NCAC 04A .0201 IMPOUNDMENT AND REMOVAL**

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5 (a) Any vehicle parked in violation of these rules and regulations will be subject to impoundment and removal (towed
6 away) at the expense of the owner. Such removal shall be to a place of storage operated by a privately-owned garage or
7 towing service. A towing fee shall be paid to the towing service before such vehicle is released to the owner. The
8 provision of the Code of the City of Raleigh and the applicable state law permitting such removal have been complied
9 with in that the entrance to each parking lot contains the proper warning signs.

10 (b) If a call is made for towing services and the owner (or person having control of the vehicle to be towed) returns to the
11 unattended vehicle before the arrival of the towing vehicle and the unattended vehicle is not, in fact, towed in, a service
12 charge for answering such a call shall be paid to the towing service by the owner/operator before the vehicle can be
13 released from custody.

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15 *History Note: Authority G.S. 143-340(18),(19);*
16 *Eff. February 1, 1976;*
17 *Readopted Eff. February 27, ~~1979~~, 1979;*
18 *Readopted Eff. September 1, 2017.*