

Withdrawn



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 145

AMENDMENT NO. A2
(to be filled in by
Principal Clerk)

S145-AMQ-61 [v.3]

Page 1 of 2

Amends Title [NO]
Fourth Edition

Date _____, 2018

Representative Potts

1 moves to amend the bill on page 12, lines 28-29, by inserting between those lines the
2 following:

3 **"STATE SURPLUS PROPERTY AGENCY SALE OF SEIZED MOTOR VEHICLES**

4 **SECTION 16.15.** G.S. 20-28.3 reads as rewritten:

5 **"§ 20-28.3. Seizure, impoundment, forfeiture of motor vehicles for offenses involving**
6 **impaired driving while license revoked or without license and insurance, and**
7 **for felony speeding to elude arrest.**

8 ...

9 (i) Expedited Sale of Seized Motor Vehicles in Certain Cases. – In order to avoid
10 additional liability for towing and storage costs pending resolution of the criminal proceedings
11 of the defendant, the State Surplus Property Agency or county board of education may, after
12 expiration of 90 days from the date of seizure, sell any motor vehicle having a fair market value
13 of one thousand five hundred dollars (\$1,500) or less. The county board of education or State
14 Surplus Property Agency, may also sell a motor vehicle, regardless of the fair market value,
15 any time the outstanding towing and storage costs exceed eighty-five percent (85%) of the fair
16 market value of the vehicle, or with the consent of all the motor vehicle owners. Any sale
17 conducted pursuant to this subsection shall be conducted in accordance with the provisions of
18 G.S. 20-28.5(a) or G.S. 20-28.5(a1), as applicable, and the proceeds of the sale, after the
19 payment of outstanding towing and storage costs or reimbursement of towing and storage costs
20 paid by a person other than the defendant, shall be deposited with the clerk of superior court. If
21 an order of forfeiture is entered by the court, the court shall order the proceeds held by the clerk
22 to be disbursed as provided in G.S. 20-28.5(b). If the court determines that the motor vehicle is
23 not subject to forfeiture, the court shall order the proceeds held by the clerk to be disbursed first
24 to pay the sale, towing, and storage costs, second to pay outstanding liens on the motor vehicle,
25 and the balance to be paid to the motor vehicle owners."".



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Page 2 of 2

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

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and vote information, is available in the
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