

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 639
Committee Substitute Favorable 4/26/95

Short Title: Piedmont Triad Airport Parking.

(Local)

Sponsors:

Referred to:

March 30, 1995

A BILL TO BE ENTITLED

AN ACT TO AMEND THE PROVISIONS UNDER WHICH THE PIEDMONT TRIAD
AIRPORT AUTHORITY REGULATES PARKING AT THE PIEDMONT TRIAD
INTERNATIONAL AIRPORT.

The General Assembly of North Carolina enacts:

Section 1. Chapter 1273 of the Session Laws of 1953, as amended by Chapter 245 of the Session Laws of 1961, Chapter 354 of the Session Laws of 1975, as amended by Chapter 431 of the 1983 Session Laws, and Chapter 990 of the Session Laws of 1987 is further amended:

(1) By deleting the words "make it unlawful for any person to park" appearing in Section 3.1 thereof and substituting therefor the words "prohibiting any person from parking".

(2) By deleting Sections 5 through 5.5 and substituting:

"Sec. 5. Except as provided in Section 5.1, violations of the rules and regulations adopted by the Board of Directors of the Piedmont Triad Airport Authority pursuant to this act shall have the following status and shall be punishable as follows:

(a) Violations of any rule or regulation relating to the use, operation, or parking of motor vehicles on the streets and roadways and in parking lots and parking structures designed for ground transportation motor vehicles at the Piedmont Triad International

1 Airport shall be an infraction punishable by a penalty of not more than one hundred
2 dollars (\$100.00).

3 (b) Violations of any other rule or regulation adopted pursuant to this act shall be a
4 Class 3 misdemeanor.

5 Sec. 5.1. Notwithstanding Section 5 of this act, the Piedmont Triad Airport
6 Authority may specify that certain violations of rules or regulations relating to the
7 parking of ground transportation motor vehicles at the Piedmont Triad International
8 Airport shall constitute neither an infraction nor a misdemeanor, but shall instead subject
9 the offender to a civil penalty not to exceed fifty dollars (\$50.00). The amount of the
10 civil penalty shall be determined by the Authority in its discretion, and may be changed
11 from time to time in the discretion of the Authority. The Authority may further provide
12 that the failure of the offender to pay the penalty within a prescribed period of time after
13 issuance of a citation therefor shall subject the offender to a civil action in the nature of a
14 debt to collect the civil penalty, plus an additional penalty not to exceed fifty dollars
15 (\$50.00), together with the costs of the action to be taxed by the court. The Airport
16 Police established by the Authority as well as other employees of, and designated by, the
17 Authority may issue citations charging violations and stating the amount of the civil
18 penalty assessed, the period of time for payment, and the additional penalty for which the
19 offender shall be liable, together with court costs, in the event of the offender's failure to
20 pay the initial penalty within the prescribed time. All civil penalties and additional
21 penalties collected by the Authority for violation of any rule or regulation which it makes
22 enforceable by civil penalty under this section shall be paid into the General Fund of the
23 Authority. No State tax shall be paid to the State of North Carolina in cases finally
24 disposed of by the payment of the civil penalties.

25 Sec. 5.2. In any action brought in any court of this State to collect any civil
26 penalties provided for in Section 5.1 of this act for violation of any rule or regulation of
27 the Piedmont Triad Airport Authority relating to the parking of a ground transportation
28 motor vehicle, the fact that any motor vehicle was found parked at the Piedmont Triad
29 International Airport in violation of the rule or regulation shall be prima facie evidence
30 that the vehicle was parked and left at the location where the violation occurs by the
31 person in whose name the vehicle is registered with the North Carolina Division of Motor
32 Vehicles or with the comparable agency of any other state. In any prosecution for
33 violation of any rule or regulation constituting an infraction, the rule or regulation shall
34 be considered a municipal ordinance within the meaning of G.S. 20-162.1, but the
35 infraction penalty shall be as specified in Section 5 of this act.

36 Sec. 5.3. In the event any person shall violate any rule or regulation relating to
37 the parking of a ground transportation motor vehicle at the Piedmont Triad International
38 Airport, and any officer of the Airport Police deems it necessary to move that motor
39 vehicle from the area where the violation occurs, the officer may move, or cause the
40 moving of, that motor vehicle and to park and store or cause to be parked and stored that
41 motor vehicle, and neither the Authority nor the officer shall be liable for any charges for
42 the removal and storage of that motor vehicle. The owner or person in charge of that
43 motor vehicle shall pay all costs of the removal and storage and the charges shall

1 constitute a lien on the vehicle that may be enforced in the manner provided by law for
2 enforcement of possessory liens for towing and storage of motor vehicles.

3 Sec. 5.4. It shall be the duty of the Authority to enforce the provisions of this
4 act."

5 Sec. 2. If any one or more sections, clauses, sentences, or parts of this act shall
6 be adjudged invalid, that judgment shall not affect, impair, or invalidate the remaining
7 provisions thereof, but shall be confined in its operation to the specific provisions held
8 invalid, and the inapplicability or invalidity of any section, clause, sentence, or part of
9 this act in one or more instances or circumstances shall not be taken to affect or prejudice
10 in any way its applicability or validity in any other instance.

11 Sec. 3. This act becomes effective August 1, 1995.