

Transportation

See full summary documents for additional detail

H67 - Road Barrier Prohibition. (SL 2019-84)

S.L. 2019-84 expands a prohibition on driving around, moving, or damaging roadway barriers erected by the North Carolina Department of Transportation (DOT) for construction work to include closures due to dangerous conditions.

This act became effective December 1, 2019, and applies to offenses committed on or after that date.

H82 - Railroad Crossings/On-Track Equipment. (SL 2019-36)

S.L. 2019-36 clarifies that statutory rail crossing requirements and restrictions that apply when a railroad train is approaching also apply when on-track equipment is approaching.

This act became effective December 1, 2019, and applies to offenses committed on or after that date.

H100 - DOT Budget for 2019-2021 Biennium. (SL 2019-231)

S.L. 2019-231 enacts a budget with adjustments consistent with House Bill 966 for the Department of Transportation.

Except as otherwise provided, this act became effective July 1, 2019. Please see S.L. 2019-231 for all applicable effective dates.

H131 - Repeal Map Act. (SL 2019-35)

S.L. 2019-35 repeals the Transportation Corridor Official Map Act, which authorized the North Carolina Department of Transportation, local governments, and other authorities to adopt maps for future transportation projects and placed restrictions on properties within mapped corridors.

This act became effective June 21, 2019.

H179 - Mini-Truck Classification. (SL 2019-34)

S.L. 2019-34 makes various changes to the motor vehicle laws of this State to create a definition for mini-trucks, sets the registration fee, and allows for the operation of mini-trucks on roadways with certain restrictions.

This act became effective June 21, 2019.

H206 - Various Transportation Changes. (SL 2019-199)

S.L. 2019-199 amends various transportation laws of this State as follows:

- Reenacts, and removes an expiration date for, a provision first enacted in 2009 authorizing the Department of Transportation to participate in private developer contracts for engineering, design, or construction of improvements in limited circumstances.
- Clarifies various provisions within current law that proceeds from the disposition of real property, facilities, and products owned by the Department of Transportation are to be credited to the State Highway Fund.
- Amends the Neuse River Basin Riparian Buffer Rule.
- Authorizes the Department of Transportation to enter into airspace encroachment agreements with FirstHealth of the Carolinas, Pinehurst related to State Road 1208, Page Road.
- Enacts a new Airport Improvement Program to provide for allocation of funds to airports.
- Authorizes the Department of Transportation to enter into Public Private Partnership (P3) agreements with private entities related to Department-owned communications infrastructure within interstate right-of-way.
- Requires the State agency for State surplus property to develop a pilot program to conduct public auctions for Department of Transportation surplus property without requiring the Department to move property to centralized auction locations.
- Authorizes the Division of Motor Vehicles to waive license restoration fees under certain circumstances when a licensee has been issued a subsequent license.
- Clarifies that parking spaces for handicapped persons include clearly marked access aisles, and all statutory provisions, restrictions, and penalties applicable to spaces also apply to those aisles.
- Authorizes airport operators to charge fees and regulate peer-to-peer vehicle sharing providers.
- Authorizes the Department of Transportation to sell listed parcels of property without being subject to certain statutory requirements.

This act became effective August 21, 2019, except for the Airport Improvement Program provision, which became effective July 1, 2019, and the license restoration fee waiver and peer-to-peer vehicle sharing provisions, which became effective October 1, 2019.

H211 - Various Division of Motor Vehicles Changes. (SL 2019-227)

S.L. 2019-227 makes the following changes to laws relating to motor vehicles:

- Amends the definitions of fuel cell and plug-in electric vehicles to clarify that they cannot have the ability to be propelled by a gasoline engine.
- Eliminates the requirement for a signature space on a registration card.
- Authorizes remote conversion of a provisional license to a regular drivers license.
- Requires the Division of Motor Vehicles to waive lapse in financial responsibility penalties under certain circumstances when a person has moved to another state.
- Provides for reflectivity standards for registration plates and requires replacement of plates every seven years.
- Amends the helmet requirement exception for autocycles.
- Provides for a study of the feasibility of digital license plates.

This act became effective September 27, 2019, except for the autocycle helmet provision, which became effective October 1, 2019, and the license plate reflectivity and replacement provisions, which become effective July 1, 2020. See full summary for specific dates related to phasing in plate replacement.

H257 - Motorcycles/Face Masks. (SL 2019-115)

S.L. 2019-115 amends G.S. 14-12.11 to allow a person to wear a mask while operating a motorcycle. The act also requires a person to remove the mask during encounters with law enforcement.

This act became effective on December 1, 2019, and applies to offenses committed on or after that date.

H337 - Change Salvage Vehicle Transfer Requirements. (SL 2019-153)

S.L. 2019-153 makes various changes to the motor vehicle titling laws of this State relating to salvage certificates of title.

This act became effective October 1, 2019.

H391 - Passenger Protection Act. (SL 2019-194)

S.L. 2019-194:

- Amends Transportation Network Company (TNC) safety requirements.
- Creates an infraction for a TNC driver's failure to display their license plate number as required.
- Creates a misdemeanor criminal offense for impersonating a TNC driver.
- Raises the punishment for assaulting a TNC driver while providing a TNC service from a Class 2 misdemeanor to a Class A1 misdemeanor.

This act has various effective dates. Please see full summary.

H449 - Handicapped & Special Registration Plates. (SL 2019-213)

S.L. 2019-213 authorizes the Division of Motor Vehicles to issue a handicapped license plate to a vehicle owner who is the parent or legal guardian of a handicapped person. It also authorizes the Division to produce the following four new special registration plates: "ALS Research", "Keeping The Lights On", "Wrightsville Beach", and "POW/MIA Bring Them Home".

This act becomes effective March 1, 2020.

H537 - Alt. Hwy Use Tax Vehicle Subscriptions. (SL 2019-69)

S.L. 2019-69 defines "vehicle subscription" for purposes of the application of the alternate highway use tax and sets the tax rate at 5%, which is applied to the gross receipts derived from vehicle subscriptions. Under prior law, these subscriptions were considered short-term rentals by way of an interpretation of the Department of Revenue, which are subject to a rate of 8%.

This act became effective October 1, 2019, and applies to vehicle subscription agreements entered on or after that date.

H546 - Prohibit Counterfeit/Nonfunctional Airbags. (SL 2019-155)

S.L. 2019-155 creates new definitions regarding airbags and motor vehicle supplemental restraint systems. Section 2 of the act makes it an unfair and deceptive trade practice to knowingly transfer a vehicle with a faulty airbag or restraint system. Section 3 of the act makes it unlawful to knowingly import, manufacture, sell, offer for sale, or distribute a motor vehicle with a faulty airbag or restraint system, and makes it a Class H felony if physical injury or death results from these actions.

This act became effective October 1, 2019, and applies to offenses committed on or after that date.

H620 - Street Database/Manual/Public Record Except. (SL 2019-156)

S.L. 2019-156:

- Requires the North Carolina Department of Transportation (DOT) to compile a readily available Public Street Information Database.
- Requires the DOT to update its Subdivision Roads Minimum Construction Standards Manual.
- Amends the public records law to designate proprietary design work, work product, and certain intra-agency communications as confidential during a DOT competitive bid process.

This act became effective July 22, 2019.

H645 - Revisions to Outdoor Advertising Laws. (Ratified)

House Bill 645, vetoed by the Governor on August 22, 2019, would amend the laws pertaining to outdoor advertising, to do all of the following:

- Allow for relocation and reconstruction of outdoor advertising signs, with specified criteria to be met.
- Prohibit the North Carolina Department of Transportation from denying a sign relocation site due to the presence of vegetation obstructing the sign's visibility.
- Reduce the waiting period for a permitted outdoor advertising location to receive a selective vegetation removal permit from two years to one year, and exempt relocated signs from that waiting period.

If the bill were to become law, Section 4, pertaining to the relocation of lawfully existing outdoor advertising signs, would apply to signs removed on or after July 1, 2019. Section 7, prohibiting the Department of Transportation from denying a sign relocation site due to the presence of vegetation obstructing the sign's visibility, would be apply to outdoor advertising signs relocated on or after the date the bill becomes law. The remainder of the bill would become effective when it becomes law.

H917 - Emergency Declaration/Clarify Rd Closure. (SL 2019-89)

S.L. 2019-89 clarifies that a local declaration of emergency includes the authority to close roads and public vehicular areas to the public within the emergency area during the emergency.

This act became effective July 8, 2019.

S29 - Move Over Law/Increase Penalties/Amber Lights. (SL 2019-157)

S.L. 2019-157 amends G.S. 20-157 to increase the penalty for those who cause serious injury or death for violating the State's Move Over Law and makes it unlawful for any vehicle to use a flashing or strobing amber-colored light unless certain conditions apply.

This act became effective December 1, 2019, and applies to offenses committed on or after that date.

S68 - Relocation of Water/Sewer Line Costs. (SL 2019-197)

S.L. 2019-197 amends the law that requires the North Carolina Department of Transportation (DOT) to pay a percentage of nonbetterment costs for certain water and sewer line relocations when located within the right-of-way (ROW) of State transportation improvement projects.

This act became effective August 14, 2019.

S321 - Federal Motor Carrier Safety/PRISM. (SL 2019-196)

S.L. 2019-196 makes various changes to the motor vehicle laws of this State to incorporate requirements of the Federal Motor Carrier Safety Administration's (FMCSA) Performance and Registration Information Systems Management (PRISM) Program.

This act became effective November 12, 2019.

S356 - DOT Cash and Accountability. (SL 2019-251)

S.L. 2019-251 implements budget stabilization and financial transparency measures for the Department of Transportation (DOT).

Except as otherwise provided, this act became effective November 18, 2019.

S384 - Clarify Motor Vehicle Dealer Laws. (SL 2019-125)

S.L. 2019-125 makes the following changes to North Carolina's Motor Vehicle Dealers and Manufacturers Licensing Law:

- Defines special or essential tool and allows small dealers to enter into tool loaner agreements with other line-make dealers rather than purchasing them.
- Allows a dealer to request elimination of portions of the dealer's area of responsibility.
- Prohibits a manufacturer from using unfair performance data to decide proposed dealership ownership transfers or the appointment of successors.
- Makes it unlawful for a manufacturer to prohibit a dealer from selling parts or accessories online.
- Limits frequency of audits for warranty or recall parts, incentive compensation, or for sales or leases made to known exporters, unless for cause, and prohibits a manufacturer from employing an auditor whose compensation is based on the number of chargebacks resulting from the audit.
- Makes changes to strengthen existing law protecting dealership data.
- Makes changes to existing law giving dealer associations standing to bring an action for injury to the collective interest of its members, including by clarifying and expanding the circumstances under which an association may intervene or bring an action.
- Increases the amount of reimbursement paid to truck dealers by manufacturers when they sell trucks directly to nondealer retailers from \$900 to \$1500 per vehicle.
- Makes clarifying changes to the unfair methods of competition statute and amends the exceptions to the prohibition to allow up to six licensed dealerships in the State operated by a manufacturer of electric vehicles under specified conditions.
- Requires dealer license applicants to certify whether they are manufacturers and, if so, under which exception to the unfair methods of competition prohibition they claim to qualify for a license, and requires published notice of a license application by a manufacturer who has not been previously licensed.

This act became effective July 19, 2019, except for the provision pertaining to dealership data, which becomes effective October 1, 2020.

S385 - Clarify/Auto Dealers Regulatory Requirements. (SL 2019-181)

S.L. 2019-181 makes the following changes to statutes related to motor vehicle dealers:

- Allows an applicant for a sales representative license to engage in activities as a sales representative while the application is pending if certain conditions are met.
- Provides that a dealer is not liable for inaccuracies in third party vehicle history reports given to customers if the information was not provided to the preparer by the dealer.
- Allows a dealer to pay up to \$250 in consideration for a customer referral.
- Provides that a dealer is not in violation of military anti-discrimination law for not offering military members certain credit-related products that are offered to other customers.
- Makes clarifying changes to title in transit provisions previously enacted.

This act became effective July 26, 2019.

S606 - Prioritize Native NC Plants on Highway ROW. (SL 2019-148)

S.L. 2019-148 amends the Department of Transportation's authority to plant trees and other vegetation in the highway right-of-way by directing the Department to select acceptable plants with a strong preference for those that are native to North Carolina.

The act became effective July 22, 2019.