

Transportation

See full summary documents for additional detail

H21 - Driver Instruction/Law Enforcement Stops. (SL 2017-95)

S.L. 2017-95 requires the Division of Motor Vehicles (DMV) to consult with the State Highway Patrol, the Sheriff's Association, and the Association of Chiefs of Police in including law enforcement traffic stop procedures and descriptions of appropriate driver interactions with law enforcement officers within its driver license handbook. It also requires the Department of Public Instruction (DPI) to incorporate these topics into the driver education curriculum offered at public high schools.

The part of this act that relates to DMV becomes effective January 1, 2018. The part of this act that relates to DPI became effective July 12, 2017, and applies beginning with the 2017-2018 school year.

H27 - Clarify Expiration of Vehicle Registration. (SL 2017-96)

S.L. 2017-96 clarifies the expiration date and lawful use grace period for a vehicle registration renewed by a new registration plate, instead of a sticker.

This act became effective July 12, 2017.

H30 - Various Special Registration Plates. (SL 2017-114)

S.L. 2017-114 authorizes the Division of Motor Vehicles to issue new plates for Colorectal Cancer Awareness, the Big Rock Blue Marlin Tournament, and Kick Cancer for Kids. It also authorizes the existing Order of the Long Leaf Pine plate to be on a full-color background.

This act became effective July 18, 2017.

BILL ANALYSIS: This act authorizes the existing Order of the Long Leaf Pine plate to be on a plate that does not have the "First in Flight" or "First in Freedom" background (typically referred to as a "full color background" plate). It also authorizes the Division of Motor Vehicles to issue the following new special license plates:

H84 - Driver's License/Deaf or Hard of Hearing Designation. (SL 2017-191)

S.L. 2017-191 directs the Division of Motor Vehicles (DMV) to develop a voluntary driver's license designation for persons who are deaf or hard of hearing, and requires training for law enforcement on the designation and on recognizing and appropriately interacting with persons who are deaf or hard of hearing.

The act becomes effective January 1, 2018.

H95 - Truck Deliveries to Port/Night Travel. (SL 2017-97)

S.L. 2017-97 authorizes the issuance of oversized and overweight permits that allow travel after sunset for vehicles transporting cargo, containers, or other equipment, and prohibits the Department of Transportation from restricting nighttime travel for shipments going to or from international ports unless it is determined to be unsafe.

This act became effective July 12, 2017.

H128 - Prohibit Drone Use Over Prison/Jail. (SL 2017-179)

H212 - Zeta Phi Beta Special Registration Plate. (SL 2017-100)

S.L. 2017-100 reauthorizes the Zeta Phi Beta special registration plate. The plate was originally authorized in 2003 but expired in 2014 because it did not have the required applications. Zeta Phi Beta subsequently completed the new special plate development process through the Division of Motor Vehicles and submitted the required number of paid applications.

This act became effective July 12, 2017.

H337 - Unmanned Aircraft Systems Law Revisions. (SL 2017-160)

S.L. 2017-160: (1) clarifies that State laws applicable to unmanned aircraft systems (UAS) include model aircrafts generally; (2) repeals a State law limitation on the use of special imaging technology on unmanned aircraft systems; (3) exempts unmanned aircraft systems used by emergency management agencies for emergency management purposes from certain State law restrictions; (4) aligns State law permitting requirements for commercial operation of unmanned aircraft systems with federal law; and (5) exempts model aircraft used for hobby or recreational purposes from State testing and permitting requirements.

This act became effective July 21, 2017, except for the emergency management agencies' UAS exception, which becomes effective December 1, 2017.

H469 - Regulation of Fully Autonomous Vehicles. (SL 2017-166)

S.L. 2017-166 regulates fully autonomous vehicles and makes various changes to various existing motor vehicle laws to account for the operation of fully autonomous vehicles on the roadways of this State without a human driver.

This act becomes effective December 1, 2017, and applies to offenses committed on or after that date.

H501 - Department of Transportation Surveying Information in Plans/Department of Transportation Residue Property Disposal/Taxicab Liability Insurance. (SL 2017-137)

S.L. 2017-137 requires the Department of Transportation (DOT) to include specified surveying data on plans to acquire property rights; makes changes to DOT's residue property disposal procedures; and increases the liability insurance limits for taxicabs.

This act becomes effective October 1, 2017.

H716 - Commercial Motor Vehicles/Use of Platoons. (SL 2017-169)

S.L. 2017-169 exempts the driver of a nonleading commercial motor vehicle traveling in a "platoon" from the requirement that a vehicle following another vehicle leave sufficient space between them, when authorized by the Department of Transportation (DOT) by traffic ordinance.

This act became effective August 1, 2017.

S55 - School Bus Cameras/Civil Penalties. (SL 2017-188)

S.L. 2017-188 authorizes counties to impose a civil penalty on the owner of a vehicle that is recorded unlawfully passing a stopped school bus by a school bus safety camera, as long as the driver is not criminally prosecuted and no injury or death occurred. Failure to pay the civil penalty will prevent the owner from registering the vehicle with the Division of Motor Vehicles (DMV). Counties enacting the ordinance must maintain records of all violations resulting in imposition of a civil penalty and provide them upon request to the North Carolina Child Fatality Task Force and the General Assembly. Local school boards may contract with private vendors to install and operate the school bus safety cameras. The act's vehicle registration provision becomes effective July 25, 2018, and applies to payment delinquencies reported to the DMV on or after that date. The remainder of the act became effective July 25, 2017.

S119 - Pisgah Conservancy Special Registration Plate. (SL 2017-107)

S.L. 2017-107 authorizes the Pisgah Conservancy special registration plate to be issued with a full-color background.

This act became effective July 1, 2017.

S160 - Handicap Parking Privilege Certification. (SL 2017-111)

S.L. 2017-111 authorizes licensed physician assistants and licensed nurse practitioners to certify applications to the Division of Motor Vehicles (DMV) for handicapped license plates, removable placards, and temporary removable placards, and also authorizes licensed certified nurse midwives to certify initial applications to DMV for the issuance of temporary removable handicapped parking placards.

This act became effective July 12, 2017.

S182 - Prohibit Use of Light Bars on Motor Vehicles. (SL 2017-112)

S.L. 2017-112 prohibits the use of bar-shaped lighting devices that project a light greater than 25 candlepower on the highway while driving.

This act becomes effective October 1, 2017, and applies to offenses committed on or after that date.

S257 - Appropriations Act of 2017.

Sec. 13.2: Volkswagen Settlement Funds. (SL 2017-57)

Sec. 13.2 of S.L. 2017-57 directs the lead agency designated by the Governor to develop the Beneficiary Mitigation Plan mandated in the Volkswagen "clean diesel" litigation to consult with the Department of Transportation, the Department of Commerce, and other interested State agencies, and submit the plan to the General Assembly. This section also provides that no funds may be expended under the plan until appropriated.

This section became effective July 1, 2017.

S257 - Appropriations Act of 2017.

Sec. 32.2: Department of Revenue Tax Fraud Analytics. (SL 2017-57)

Section 32.2 of S.L. 2017-57 provides that \$4,400,000 of the funds appropriated to the Department of Revenue (DOR) for the 2017-2018 fiscal year shall be used to continue and expand DOR's tax fraud analysis contract. This section also directs DOR to continue to coordinate with the Government Data Analytics Center for fraud detection analytics and infrastructure.

This section became effective July 1, 2017.

S257 - Appropriations Act of 2017.

Sec. 34.1: Cash Flow Highway Fund and Highway Trust Fund Appropriations. (SL 2017-57)

Sec. 34.1 of S.L. 2017-57 sets out the anticipated revenue for the Highway Fund and the Highway Trust Fund for fiscal year 2019-2020 through fiscal year 2022-2023; and directs the Department of Transportation to develop a four-year revenue forecast beginning with the 2023-2024 fiscal year for use in developing cash flow estimates, for development of the Strategic Transportation Improvement Program, and to compute transportation debt capacity.

This section became effective July 1, 2017.

S257 - Appropriations Act of 2017.

Sec. 34.2: Contingency Funds. (SL 2017-57)

Sec. 34.2 of S.L. 2017-57:

- Appropriates \$12 million annually to the Department of Transportation (DOT) in the 2017- 2019 fiscal biennium for rural or small urban highway improvements and related transportation enhancements to public roads and public facilities, industrial access roads, railroad infrastructure, and spot safety projects, including pedestrian walkways that enhance highway safety.
- Provides that projects funded pursuant to this section require prior approval by the Secretary of Transportation.
- Requires DOT to report to the members of the General Assembly on projects funded pursuant to this section in each member's district prior to construction.
- Requires DOT to make a quarterly comprehensive report on the use of these funds to the Joint Legislative Transportation Oversight Committee and the Fiscal Research Division.

This section became effective July 1, 2017.

S257 - Appropriations Act of 2017.

Sec. 34.3: Repairs and Renovations. (SL 2017-57)

Section 34.3 of S.L. 2017-57 appropriates from the Highway Fund to the Department of Transportation (DOT) for the 2017-2019 fiscal biennium, funds for repairs and renovation of listed DOT facilities.

This section became effective July 1, 2017.

S257 - Appropriations Act of 2017.

Sec. 34.4: Department of Transportation/Funding for Analytics Services. (SL 2017-57)

Section 34.4 of S.L. 2017-57 authorizes the Secretary of the Department of Transportation (DOT) to use up to \$2 million from funds available for the 2017-2018 fiscal year to cover costs incurred for obtaining additional analytics services to improve the efficiency and operations of DOT, in addition to other funding appropriated to DOT for transportation analytics services.

This section became effective July 1, 2017.

S257 - Appropriations Act of 2017.

Sec. 34.4A: Department of Transportation/Consultation on Transportation Projects with Affected Utility Providers. (SL 2017-57)

Section 34.4A of S.L. 2017-57 requires the Department of Transportation, prior to any related action of the Board of Transportation on a transportation project, to: inform utility providers affected by a planned transportation project; request each affected utility provider to submit their views on the planned project within 45 days; and consider their response.

This section became effective July 1, 2017.

S257 - Appropriations Act of 2017.

Sec. 34.5: Department of Transportation Acquisitions/Appraisals Waiver Valuation. (SL 2017-57)

Section 34.5 of S.L. 2017-57:

- Exempts the Department of Transportation (DOT) from obtaining a property appraisal, and authorizes DOT to instead prepare, or contract for, an appraisal waiver valuation for any proposed property acquisition with an anticipated value of \$40,000 or less, except as otherwise required by federal law.
- Provides that DOT, in consultation with the North Carolina Appraisal Board, the North Carolina Chapter of the Appraisal Institute, and the North Carolina Association of Realtors, shall develop a process for performing appraisal waiver valuations authorized by this section.
- Requires DOT, by December 31, 2017, to submit a report to the Joint Legislative Transportation Oversight Committee on the development of the newly authorized appraisal waiver valuation process.

The authorization for use of appraisal waiver valuations becomes effective May 15, 2018, and applies to acquisitions by DOT on or after that date. The remainder of this section became effective July 1, 2017.

S257 - Appropriations Act of 2017.

Sec. 34.6: Establishment of Advance Right-of-Way Acquisition Account. (SL 2017-57)

Section 34.6 of S.L. 2017-57 creates an Advance Right-of-Way Acquisition Account within the Highway Trust Fund, for acquisition of specified right-of-way by the Department of Transportation (DOT) prior to a project being programmed in the State Transportation Improvement Program (STIP). Funds may only be used for a project that meets all of the following requirements:

- The right-of-way must be identified as a future right-of-way in: (i) a corridor protection map adopted pursuant State law; (ii) the most recently adopted STIP, or (iii) both a corridor protection map and the most recently adopted STIP.
- DOT has determined it is in the best interest of the public to acquire the right-of-way: (i) as a protective purchase, or (ii) to remove an undue hardship.
- For Turnpike projects only, a Record of Decision or a Finding of No Significant Impact must have been issued.

This section became effective July 1, 2017.

S257 - Appropriations Act of 2017.

Sec. 34.6A: Road Improvements Adjacent to Schools. (SL 2017-57)

Section 34.6A of S.L. 2017-57:

- Amends the Department of Transportation's (DOT) power to oversee improvements to public roads adjacent to any K-12 school.
- Amends the power of cities to require road improvements related to K-12 schools.
- Requires DOT to develop a report on road improvements required for K-12 schools in specified past and future years.

The provisions of this section applicable to DOT and city-required road improvements became effective October 1, 2017. The remainder of this section became effective July 1, 2017.

S257 - Appropriations Act of 2017.

Sec. 34.7: Use of Funds in Mobility/Modernization Fund. (SL 2017-57)

Section 34.7 of S.L. 2017-57:

- Provides that the funds appropriated to the Mobility/Modernization Fund in the Highway Fund, shall be used by the Department of Transportation (DOT) as follows: 40% for a spot mobility program; 12% for economic development, small construction, and industrial access projects; and 48% for high impact low cost construction projects.
- Requires DOT to develop a report detailing: the formulas used to distribute funds under this section, the types of projects funded, and the total amount of funding allocated to each project;

and submit the report to the Joint Legislative Transportation Oversight Committee by March 1, 2018.

This section became effective July 1, 2017.

S257 - Appropriations Act of 2017.

Sec. 34.7A: Department of Transportation/Disposition of Settlement Funds. (SL 2017-57)

Section 34.7A of S.L. 2017-57 exempts funds received by the Department of Transportation (DOT) as a part of a settlement or final court order from the general law prohibitions on expenditure until appropriated, or on expenditure as overrealized receipts, if the funds represent the recovery of funds previously expended by DOT.

This section became effective July 1, 2017.

S257 - Appropriations Act of 2017.

Sec. 34.8: Rural Project Development. (SL 2017-57)

Section 34.8 of S.L. 2017-57:

- Authorizes the Department of Transportation (DOT) to annually allocate funds to specified qualifying Metropolitan Planning Organizations (MPOs) and Rural Transportation Planning Organizations (RPOs) to fund a portion of the local match required under federal law for federal State Planning and Research Program Funds.
- Requires DOT to establish a Corridor Development Unit to work with MPOs and RPOs that receive funding under this section, to assist them in the development of corridor studies on highway projects prior to submitting them for prioritization in a long term transportation planning document.
- Directs DOT to develop reports due April 1, 2018 and April 1, 2019 on the usage of federal State Planning and Research Program funds allocated in accordance with this section, and submit them to the Joint Legislative Transportation Oversight Committee.

This section became effective July 1, 2017.

S257 - Appropriations Act of 2017.

Sec. 34.9: Expand Use of Pavement Preservation Program Funds. (SL 2017-57)

Section 34.9 of S.L. 2017-57 expands the eligible uses of pavement preservation program funds by the Department of Transportation to include pavement markings.

This section became effective July 1, 2017.

S257 - Appropriations Act of 2017.

Sec. 34.10: Codify Bridge Program. (SL 2017-57)

Section 34.10 of S.L. 2017-57, as amended by Section 7.1 of S.L. 2017-197, codifies and makes modifications to the existing bridge program of the Department of Transportation.

This section became effective July 1, 2017.

S257 - Appropriations Act of 2017.

Sec. 34.11: Highway Maintenance Improvement Program/Revise Periods and Consolidate with Other Improvement Programs. (SL 2017-57)

Section 34.11 of S.L. 2017-57 changes the time period of the Department of Transportation (DOT) Highway Maintenance Improvement Program from three to five years. This section also directs DOT to merge the Bridge Maintenance Improvement Program and the General Maintenance Improvement Program with the Highway Maintenance Improvement Program by January 1, 2020.

This section became effective July 1, 2017.

S257 - Appropriations Act of 2017.

Sec. 34.12: Revise Content of Transportation Improvement Program Schedule. (SL 2017-57)

Section 34.12 of S.L. 2017-57 revises the required content of the Department of Transportation's Transportation Improvement Program, to delete a requirement to include anticipated funding sources, and a requirement to list changes and the reasons for the changes from the previous Program.

This section became effective July 1, 2017.

S257 - Appropriations Act of 2017.

Sec. 34.12C: Department of Transportation/Funding for Preliminary Engineering. (SL 2017-57)

Section 34.12C of S.L. 2017-57 authorizes the Department of Transportation (DOT) to enter into agreements with local governments, allowing the local government to fund preliminary engineering for projects not currently programmed in the Transportation Improvement Program (TIP), but that were programmed in the immediately preceding TIP.

This section became effective July 1, 2017.

S257 - Appropriations Act of 2017.

Sec. 34.13: Department of Transportation/Outsourcing and Project Delivery Reports. (SL 2017-57)

Section 34.13 of S.L. 2017-57 encourages the Department of Transportation (DOT) to increase its outsourcing of preconstruction activities; requires DOT to provide a biannual Outsourcing Report and an annual Project Delivery report to the General Assembly; and requires DOT to consult with the General Assembly if DOT fails to meet specified preconstruction outsourcing targets, or if specified numbers of project stages are delayed.

This section became effective July 1, 2017.

S257 - Appropriations Act of 2017.

Sec. 34.14: Board of Transportation/Study Fee Structure for Services Performed by the Highway Division. (SL 2017-57)

Section 34.14 of S.L. 2017-257 requires the Board of Transportation to study the fee structure for services performed by Highway Division personnel. For the previous three fiscal years, the Board must identify services performed, whether a fee was charged or could have been charged, the cost incurred by the Department of Transportation in performing the service, and, if applicable, the reason for not charging a fee. The Board is required to submit its findings to the Joint Legislative Transportation Oversight Committee by January 1, 2018.

This section became effective July 1, 2017.

S257 - Appropriations Act of 2017.

Sec. 34.15: Align Department of Transportation's Program for Participation by Disadvantaged Minority-Owned and Women-Owned Businesses with Federal Law. (SL 2017-57)

Section 34.15 of S.L. 2017-57 makes the following changes with regard to the Department of Transportation's Program for Participation by Disadvantaged Minority-Owned and Women-Owned Businesses:

- Changes the required contract participation goals under the program from separate aspirational goals for each disadvantaged minority-owned and women-owned business category that has demonstrated disparity in contract utilization to a single combined aspirational goal in the form of a percentage for the overall participation in contracts by disadvantaged minority-owned and women-owned businesses.
- Extends the program's expiration date from August 31, 2017, to August 31, 2022.
- Requires the Department to develop a plan to establish and implement the combined goal and submit the plan to the Joint Legislative Transportation Oversight Committee by February 1, 2018, and implement the plan by April 1, 2018.

This section became effective July 1, 2017.

S257 - Appropriations Act of 2017.

Sec. 34.16: "DOT Report" Program Revisions. (SL 2017-57)

Section 34.16 of S.L. 2017-57 makes the following changes to the "DOT Report" program, established under G.S. 136-18.05 to improve the condition of North Carolina's roads through increased transparency and responsiveness to the public:

- With regard to the system implemented to receive citizen reports of problems on State-maintained roads, this section requires the Department of Transportation to report monthly on the number of citizen reports received and whether they were resolved within the applicable time frames to the Joint Legislative Transportation Oversight Committee, the Fiscal Research Division, the chairs of the House Appropriations Committee on Transportation, and the chairs of the Senate Appropriations Committee on the Department of Transportation.
- This section also codifies language from the 2015 budget that directed the Department to adopt procedures to streamline project delivery and to establish a baseline unit pricing structure for transportation goods used in highway maintenance and construction projects.

This section became effective July 1, 2017.

S257 - Appropriations Act of 2017.

Sec. 34.16A: Department of Transportation/Close State Infrastructure Bank. (SL 2017-57)

Section 34.16A of S.L. 2017-57 directs the Department of Transportation to close the State Infrastructure Bank.

This section became effective July 1, 2017.

S257 - Appropriations Act of 2017.

Sec. 34.17: State Aid to Municipalities/No Funds if Municipality Fails to File Statement and Study How to Account for Seasonal Population Shifts. (SL 2017-57)

Section 34.17 of S.L. 2017-57 provides the following with regard to State aid to municipalities:

- Prohibits funds from being used to construct sidewalks into which mailboxes, utility poles, fire hydrants, or other obstructions are built that would impede passage of pedestrians.
- Provides any municipality that fails to file a statement, required under existing law, showing in detail the expenditure of funds during the preceding year and the balance of funds on hand, is ineligible to receive funds for the fiscal year in which the municipality failed to file the statement.
- Directs the Department of Transportation to study how to adjust the formula for allocation of funds to account for seasonal shifts in municipal populations and report its findings to the Joint Legislative Transportation Oversight Committee by December 1, 2017.

The part of this section regarding ineligibility to receive funds for failing to file the required statement on use of funds became effective July 1, 2017, and applies to allocations on or after that date. The remainder of the section became effective July 1, 2017.

S257 - Appropriations Act of 2017.

Sec. 34.17A: Department of Transportation /Defend, Indemnify, and Hold Harmless the City of Wilmington from Liability for Map Act Claims. (SL 2017-57)

Section 34.17A of S.L. 2017-57 directs the Department of Transportation to defend, indemnify, and hold harmless the City of Wilmington against any claims related to maps adopted, filed, or amended under the Map Act.

This section became effective July 1, 2017.

S257 - Appropriations Act of 2017.

Sec. 34.18: Extend Moratorium on Adoption of New Maps under the Map Act. (SL 2017-57)

Section 34.18 of S.L. 2017-57 extends the moratorium enacted in 2016 on adoption of new maps under the Transportation Corridor Official Map Act until July 1, 2018.

This section became effective July 1, 2017.

S257 - Appropriations Act of 2017.

Sec. 34.18A: Department of Transportation/Increase Consolidation and Coordination of Public Transportation Systems. (SL 2017-57)

Section 34.18A of S.L. 2017-57 authorizes the Department of Transportation to allocate funds, up to \$200,000 annually, to a qualifying public transportation system to be used to consolidate and coordinate with other public transportation systems. To qualify, a system must submit a plan for consolidation, including a time line and estimated cost for completion. Beginning December 1, 2017, the Department is required to report annually to the Joint Legislative Transportation Oversight Committee on each system provided funding, the amount of funds disbursed, and the purposes for which the funds were used. The Department must establish criteria for approving plans submitted by public transportation systems by September 1, 2017, and publish the criteria on the Department's Web site.

This section became effective July 1, 2017.

S257 - Appropriations Act of 2017.

Sec. 34.19: Funding for Airport Improvements and Debt Service. (SL 2017-57)

Section 34.19 of S.L. 2017-57 allocates funds appropriated from the Highway Fund to the Department of Transportation for capital improvements at commercial airports for 2017-2018 and 2018-2019 and provides:

- Funds may be used for airport improvements or paying debt service or financing costs on bonds or notes.
- Appropriation of funds and issuance of bonds or notes by airports in reliance thereon does not constitute a pledge of faith and credit and taxing power of the State, and the General Assembly is not prohibited from amending appropriations at any time.
- The Department is required to report to the Joint Legislative Transportation Oversight Committee on the use of funds by each airport by March 1, 2019.
- The Division of Aviation is required to develop a funding needs assessment setting out the amount of funds needed by each airport and what projects would be funded using the funds. The Division is to use the data to develop a formula for allocating State funds to commercial airports and report the funding needs assessment and description of the formula by April 15, 2018, to the chairs of the House Appropriations Committee on Transportation, the chairs of the Senate Appropriations Committee on the Department of Transportation, and the Fiscal Research Division.

This section became effective July 1, 2017.

S257 - Appropriations Act of 2017.

Sec. 34.20: Require Use of Outside Vendor to Sell Sikorsky Helicopter. (SL 2017-57)

Section 34.20 of S.L. 2017-57 amends the Appropriations Act of 2014, which directed the Division of Aviation of the Department of Transportation to sell the Sikorsky S-76C helicopter as expeditiously as possible in order to modernize its fleet. This section revises that provision to require the Division to contract with an outside vendor with experience in the sale of aviation equipment to sell the helicopter. The Division is required to contract with a vendor by August 1, 2017, and report details of the contract to the Joint Legislative Transportation Oversight Committee by August 15, 2017.

This section became effective July 1, 2017.

S257 - Appropriations Act of 2017.

Sec. 34.21: Revise Use of Taxes Collected on Aviation Gasoline and Jet Fuel. (SL 2017-57)

Section 34.21 of S.L. 2017-57 changes the authorized use of proceeds of the tax collected on aviation gasoline and jet fuel by limiting it to general aviation airports for time-sensitive aviation capital improvement projects for economic development purposes (was capital improvements to public airports and time-sensitive aviation capital improvement projects for economic development purposes.)

This section becomes effective January 1, 2018, and applies to sales made on or after that date.

S257 - Appropriations Act of 2017.

Sec. 34.21B: Division of Aviation/Institute for Transportation Research and Education Funds. (SL 2017-57)

Section 34.21B of S.L. 2017-57 authorizes the Division of Aviation to allocate \$1,000,000 to the Institute for Transportation Research and Education at North Carolina State University to be used for analyzing Localized Unmanned Aircraft Systems Traffic Management Solutions.

This section became effective July 1, 2017.

S257 - Appropriations Act of 2017.

Sec. 34.22: Annual Report/Progress of Projects Identified in Plans Funded from Bicycle and Pedestrian Planning Grant Funds. (SL 2017-57)

Section 34.22 of S.L. 2017-57 requires the Division of Bicycle and Pedestrian Transportation of the Department of Transportation to submit an annual report on the progress of projects identified in plans submitted to the Division in the 10 years prior to the report and funded from Bicycle and Pedestrian Planning Grant funds. The report is to be submitted by May 15 each year to the chairs of the House Appropriations Committee on Transportation, the chairs of the Senate Appropriations Committee on the Department of Transportation, and the Fiscal Research Division.

This section became effective July 1, 2017.

S257 - Appropriations Act of 2017.

Sec. 34.23: Rail Division/Five-Year Spending Plan for Freight Rail & Rail Crossing Safety Improvement. (SL 2017-57)

Section 34.23 of S.L. 2017-57 requires the Rail Division of the Department of Transportation to develop a five-year spending plan for funds in the Freight Rail & Rail Crossing Safety Improvement Fund and submit the plan to the Joint Legislative Transportation Oversight Committee by December 1, 2017.

This section became effective July 1, 2017.

S257 - Appropriations Act of 2017.

Sec. 34.24: Rail Division/Report Required Prior to Entering into Certain Contracts. (SL 2017-57)

Section 34.24 of S.L. 2017-57 requires the Rail Division of the Department of Transportation to submit a report to the Joint Legislative Transportation Oversight Committee prior to entering into any contract with

a duration of five years or more and a cost to the State of \$1,500,000 or more. The report must identify the duration, total cost, parties, and other relevant terms of the proposed contract.

This section became effective July 1, 2017, and applies to contracts entered into on or after that date. This section expires June 30, 2022.

S257 - Appropriations Act of 2017.

Sec. 34.26: Global TransPark/Strategic Plan and Marketing. (SL 2017-57)

Section 34.26 of S.L. 2017-57 provides the following with regard to the Global TransPark:

- Requires the Global TransPark Authority to establish and implement a strategic plan and submit a report to the Joint Legislative Transportation Oversight Committee detailing implementation of the plan by January 15, 2018.
- Requires the Global TransPark Authority to contract with an outside vendor to provide marketing services for the Global TransPark by February 1, 2018, and submit a report to the Joint Legislative Transportation Oversight Committee by February 15, 2018, detailing the contract entered into.
- Requires the Communications Office of the Department of Transportation to manage the Web site for the Global TransPark, including providing updates on achievements of the Global TransPark, business opportunities available, and events held there.

This section became effective July 1, 2017.

S257 - Appropriations Act of 2017.

Sec. 34.27: North Carolina State Ports Authority/Funds for Debt Service and Capital Projects. (SL 2017-57)

Section 34.27 of S.L. 2017-57 provides that funds appropriated to the North Carolina State Ports Authority from the Highway Trust Fund may only be used to pay debt service or financing costs on bonds or notes or for capital projects. Appropriation of funds and issuance of bonds or notes by State Ports Authority in reliance thereon does not constitute a pledge of faith and credit and taxing power of the State, and the General Assembly is not prohibited from amending appropriations at any time. These funds are not subject to the Transportation Investment Strategy Formula.

This section became effective July 1, 2017.

S257 - Appropriations Act of 2017.

Sec. 34.28: State Ports Authority/Funding For Dredging. (SL 2017-57)

Section 34.28 of S.L. 2017-57 authorizes up to \$15 million of nonrecurring funds appropriated to the North Carolina State Ports Authority from the Highway Trust Fund for the 2017-2018 fiscal year to be used for State port facility approach dredging.

This section became effective July 1, 2017.

S257 - Appropriations Act of 2017.

Sec. 34.28A: Dredging Services Cost-Benefit Analysis. (SL 2017-57)

Section 34.28A of S.L. 2017-57 requires the Department of Transportation (DOT) and the Department of Environmental Quality (DEQ) to jointly perform a cost-benefit analysis to compare State provided and private contractor provided dredging services. The analysis must identify:

- Cost savings.
- Time savings.
- Whether private contractors can support the dredging needs of the State.
- Potential contract structures to maximize benefit to the State.

DOT and DEQ must jointly submit findings and recommendations to the Joint Legislative Transportation Oversight Committee and the Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources by February 1, 2018.

This section became effective July 1, 2017.

S257 - Appropriations Act of 2017.

Sec. 34.28B: Ferry Vessel Priority Boarding/Clarification. (SL 2017-57)

Section 34.28B of S.L. 2017-57 clarifies that all vehicles owned by the person issued an annual state ferry vessel priority boarding pass are entitled to priority ferry boarding.

This section became effective July 1, 2017.

S257 - Appropriations Act of 2017.

Sec. 34.28C: Ferry Division/Life-Cycle Plan for Terminal Structure Repairs and Replacements. (SL 2017-57)

Section 34.28C of S.L. 2017-57 requires the Ferry Division of the Department of Transportation (DOT) to develop a life-cycle plan for the repair and replacement of ferry terminal structures. The plan must include a cost-benefit analysis comparing repair versus replacement of terminal structures.

DOT must submit a report to the Joint Legislative Transportation Oversight Committee by November 1, 2017.

This section became effective July 1, 2017.

S257 - Appropriations Act of 2017.

Sec. 34.29: Study/Use of Dredge Manteo. (SL 2017-57)

Section 34.29 of S.L. 2017-57 requires the Department of Transportation (DOT) to study the use of its new dredge vessel "Manteo." The study must include approximate annual operating costs, including maintenance, and a plan to allow use by other State departments and agencies.

DOT must submit its report to the Joint Legislative Transportation Oversight Committee by December 1, 2017.

This section became effective July 1, 2017.

S257 - Appropriations Act of 2017.

Sec. 34.30: Department of Transportation Performance Dashboard/Track Division of Motor Vehicles Progress. (SL 2017-57)

Section 34.30 of S.L. 2017-57 requires the Department of Transportation (DOT) to expand its performance dashboard on DOT's Web site to include the following information related to the Division of Motor Vehicles (DMV):

- The number of motor vehicle registrations issued per month and year to date.
- The number of motor vehicle registrations renewed per month and year to date.
- The number of drivers licenses issued per month and year to date.
- The number of drivers licenses renewed per month and year to date.
- The number of motor vehicle registrations renewed online per month and year to date.
- The number of drivers licenses renewed online per month and year to date.
- The total number of persons employed by DMV as of the first day of each month, including full time, part time, and temporary employees.

DOT must complete this expansion by October 1, 2017.

This section became effective July 1, 2017.

S257 - Appropriations Act of 2017.

Sec. 34.31: Division of Motor Vehicles/Purchase Credit Card Payment Processing Devices. (SL 2017-57)

Section 34.31 of S.L. 2017-57 requires the Division of Motor Vehicles of the Department of Transportation to purchase credit/debit card processing devices used solely for payments rather than leasing those devices. The purchase price must include the cost of repair and replacement.

This section became effective July 1, 2017.

S257 - Appropriations Act of 2017.

Sec. 34.32: Division of Motor Vehicles/Hearing Fee Implementation Revisions. (SL 2017-57)

Section 34.32 of S.L. 2017-57, as amended by Section 7.3(a) of S.L. 2017-197:

- Requires the Division of Motor Vehicles (DMV) of the Department of Transportation to develop a schedule of fees to recover all costs incurred by the DMV's Hearings Unit for the performance of administrative hearings under DMV's rules.
- Requires DMV to establish a Hearings Unit fund, into which DMV must deposit fees collected, and provides that those fees are the sole funding source for the Hearings Unit.
- Authorizes DMV to charge fees to any person that requests an administrative hearing, and sets forth the requirements for requesting a hearing.
- Authorizes DMV to adopt temporary rules in accordance with these changes.

This section became effective July 1, 2017, except for the requirement and authorization to implement and charge administrative hearing fees, which becomes effective January 1, 2018.

S257 - Appropriations Act of 2017.

Sec. 34.33: Division of Motor Vehicles/Study Streamlining International Fuel Tax Agreement and International Registration Plan Processes. (SL 2017-57)

Section 34.33 of S.L. 2017-57 requires the Division of Motor Vehicles (DMV) of the Department of Transportation, in consultation with the Department of Revenue, to study the streamlining of the processes required by the International Fuel Tax Agreement and the International Registration Plan, and study the feasibility of consolidating these processes within DMV.

DMV must submit its findings and recommendations to the Joint Legislative Transportation Oversight Committee by March 1, 2018.

This section became effective July 1, 2017.

S257 - Appropriations Act of 2017.

Sec. 34.34: Pilot Project/Funding for Rest Area in Richmond County. (SL 2017-57)

Section 34.34 of S.L. 2017-57 requires the Department of Transportation (DOT) to implement a pilot project to provide funding for operating a rest area on U.S. Highway 220 in Richmond County. DOT must allocate \$100,000 in nonrecurring funds for each fiscal year of the 2017-2019 biennium to the Town of Ellerbe for this project. DOT may advertise local attractions or accommodations at the rest area.

DOT must provide a report, including visitor counts and annual operating costs from opening to November 1, 2018, to the Joint Legislative Transportation Oversight Committee by December 1, 2018.

This section became effective July 1, 2017.

S257 - Appropriations Act of 2017.

Sec. 34.35: Asset Management Long Range Facility Planning/Division of Motor Vehicle New Bern Avenue Property Relocation. (SL 2017-57)

Section 34.35 of S.L. 2017-57 requires the Department of Transportation (DOT) to specify its plan for relocating the Division of Motor Vehicles (DMV) from its New Bern Avenue location in Raleigh, and whether DOT will purchase or lease the relocation site.

DOT must submit a report to the Joint Legislative Transportation Oversight Committee by May 1, 2018.

This section became effective July 1, 2017.

S257 - Appropriations Act of 2017.

Sec. 34.36: Study/Eliminate Use of Nurses in Medical Review Program. (SL 2017-57)

Section 34.36 of S.L. 2017-57 requires the Division of Motor Vehicles (DMV) of the Department of Transportation (DOT) to study the feasibility of eliminating the use of nurses in DMV's medical review program.

DMV must report findings and recommendations to the Joint Legislative Transportation Oversight Committee by December 1, 2017.

This section became effective July 1, 2017.

S257 - Appropriations Act of 2017.

Sec. 34.37: Restore Mercury Switch Removal Funding. (SL 2017-57)

Section 34.37 of S.L. 2017-57 requires the Division of Motor Vehicles of the Department of Transportation (DOT) to allocate 20¢ of each fee collected related to motor vehicle titling and registration to the Mercury Pollution Prevention Fund in the Department of Environmental Quality (DEQ).

This section became effective July 1, 2017 and expires June 30, 2021.

S257 - Appropriations Act of 2017.

Sec. 34.39: Department of Transportation/Traffic Impact Analysis Time Frame. (SL 2017-57)

Section 34.39 of S.L. 2017-57: (1) creates time frames in which the Department of Transportation (DOT) must make decisions for Traffic Impact Analysis (TIA) approvals; (2) requires DOT to develop an appeals process for TIA rejection by DOT; (3) requires DOT to submit an annual report to the Joint Legislative Transportation Oversight Committee (JLTOC); and (4) authorizes DOT to use up to \$100,000 of nonrecurring 2017-2018 funds, from the Highway Fund allocated for general maintenance, to implement these changes.

The new statutory provisions related to traffic impact analysis timeframes and appeals become effective October 1, 2017, and the remainder of this section became effective July 1, 2017.

S257 - Appropriations Act of 2017.

Sec. 34.40: Excavation or Demolition Notice Requirements/Clarify Exemption. (SL 2017-57)

Section 34.40 of S.L. 2017-57 expands the notification requirement exemption under North Carolina's Underground Utility Safety and Damage Prevention Act for maintenance-related excavation or demolition performed to Department of Transportation (DOT), local government, special purpose district, or public service district rights-of-way, to include all rights-of-way if performed by those responsible for routine maintenance of that right-of-way.

This section became effective July 1, 2017.

S257 - Appropriations Act of 2017.

Sec. 34.41: Division of Motor Vehicles/Sale of Unclaimed Vehicles Process Improvement. (SL 2017-57)

Section 34.41 of S.L. 2017-57 requires the Division of Motor Vehicles (DMV) of the Department of Transportation (DOT) to:

- Make all required forms for unclaimed vehicle sales available on their Web site.
- Allow electronic submission of these forms to DMV.
- Allow electronic signatures on these forms, when electronically signed as required.

This section becomes effective October 1, 2017.

S257 - Appropriations Act of 2017.

Sec. 34.42: Sale of Linwood Springs Golf Course/Right of First Refusal for City of Gastonia. (SL 2017-57)

Section 34.42 of S.L. 2017-57 requires the Department of Transportation (DOT) to give the City of Gastonia a right of first refusal if DOT decides to sell the Linwood Springs Golf Course. DOT cannot sell the property if it determines that any mitigation credits associated with the property are not transferable.

This section became effective July 1, 2017.

S257 - Appropriations Act of 2017.

Sec. 34.43: State Park Roads/Increase Allowable Maintenance Costs. (SL 2017-57)

Section 34.43 of S.L. 2017-57 requires the Department of Transportation (DOT) to spend \$750,000 in nonrecurring funds, for the 2017-2018 fiscal year, on road maintenance in State parks administered by the Division of Parks and Recreation (DPR) of the Department of Natural and Cultural Resources, and to jointly develop a five-year capital plan to address State park road maintenance needs with DPR.

DOT and DPR must submit this capital plan to the Joint Legislative Transportation Oversight Committee on Agriculture and Natural and Economic Resources by February 15, 2018.

This section became effective July 1, 2017.

S326 - Clarify Highway Use Tax & Improve Vehicle Titling Process.

Secs. 2 and 2.1: Improve Vehicle Titling Process; Titling and Registration of High Mobility Multipurpose Wheeled Vehicles. (SL 2017-69)

Section 2 of S.L. 2017-69 eliminates duplicative and unnecessary information on an application for a motor vehicle title. This section became effective July 1, 2017.

Section 2.1 of S.L. 2017-69 directs the Division of Motor Vehicles (DMV) to title and register high mobility multipurpose wheeled vehicles, commonly referred to as "HMMWVs" or "Humvees." This section became effective June 28, 2017.

S391 - Ferry Transportation Authority. (SL 2017-120)

S.L. 2017-120 authorizes the creation of a Ferry Transportation Authority to operate a ferry system in the area of a tidal river, and adjoining estuaries, in the vicinity of a municipality that is only accessible by water.

This act became effective July 18, 2017.

S413 - Clarify Motor Vehicle Dealer Laws. (SL 2017-148)

S.L. 2017-148 makes changes to North Carolina's Motor Vehicle Dealers and Manufacturers Licensing Law.

The part of this act pertaining to notification of shop fees becomes effective January 1, 2018, and applies to fees charged on or after that date. The remainder of the act became effective July 20, 2017.

S615 - North Carolina Farm Act of 2017. (SL 2017-108)

S.L. 2017-108 made various changes to laws governing agricultural matters, including provisions involving the following:

- Agriculture and forestry awareness study commission studies
- Expand facilities exempt from EMC rule
- Present use-value change
- Abandoned livestock amendments
- Authority of the Department of Agriculture and Consumer Services to adopt and administer forest practice guidelines for purposes of the sedimentation pollution control act
- Assent to mutual aid provisions of the Great Plains Wildland Protection Compact
- Clarify activities incident to the farm and agritourism
- Eliminate county authority to adopt zoning regulations governing swine farms
- Allow food compliance inspectors to drive state vehicles without state tags and bumper stickers
- Meat and poultry technical corrections
- Modernize forest ranger statutes
- Allow emergency workers to receive worker's compensation when responding to non-fire emergencies
- Create exception from conservation benefit analysis for certain easements
- Exempt farm trucks that stay in State from having a USDOT identification number
- Exempt closure of hog lagoons from requiring the use of a professional engineer
- Exempt farm vehicles engaged in intrastate commerce from certain federal motor carrier safety regulations
- Authorize wine sales at farmers markets
- Allow extension of conditional exemption from sales and use tax for certain farmers
- Amend conditions that may be applied to agreements for the purchase of agricultural products