

Transportation

See full summary documents for additional detail

H77 - DOT 2020-2021 FY Budget/Governance. (SL 2020-91)

S.L. 2020-91 adjusts the North Carolina Department of Transportation's FY 2020/2021 Certified Budget, and implements various financial governance provisions, including changes to the North Carolina Board of Transportation.

- Parts 1 through 4 of the act make various changes and clarifications to the Department's FY 2020/2021 budget.
 - Sections 4.2 and 4.6 relate to Motor Fuel Tax changes, and these provisions and their effective dates are summarized separately.
- Part 5 makes various changes to laws that relate to the governance, reporting requirements, and financial management of the Department.
- Parts 6 and 7 contain miscellaneous and technical provisions of this act.

The act became effective July 1, 2020, except for Section 4.9, which became effective June 15, 2020, and Section 5.1, which became effective July 31, 2020.

H77 - DOT 2020-2021 FY Budget/Governance. Sec. 4.2: Motor Fuel Excise Tax Floor . (SL 2020-91)

Section 4.2 of S.L. 2020-91 sets a temporary floor on the motor fuel excise tax rate such that the 2021 rate cannot be lower than the current rate of 36.1¢ per gallon. Effective July 1, 2020, this change is expected to increase revenue by \$20.2 million in FY 2020-21 and \$33.4 million in FY 2021-22.

This section became effective July 1, 2020.

H77 - DOT 2020-2021 FY Budget/Governance. Sec. 4.6: Modify Fuel Tax Distribution. (SL 2020-91)

Section 4.6 of S.L. 2020-91 modifies the current 71%/29% distribution of motor fuel tax revenue to the Highway Fund and the Highway Trust Fund as follows:

- Effective July 1, 2020, 81% to the Highway Fund and 19% to the Highway Trust Fund.
- Effective July 1, 2021, 80% to the Highway Fund and 20% to the Highway Trust Fund.
- Effective July 1, 2022, 75% to the Highway Fund and 25% to the Highway Trust Fund.

This section became effective July 1, 2020.

H158 - COVID-19 New Driver Response. (SL 2020-30)

S.L. 2020-30 does the following:

- Waives the road test requirement to obtain a Level 2 limited provisional license. A Level 2 limited provisional license holder who receives a waiver has to pass a road test in order to obtain a Level 3 full provisional license. The waiver provision expires when the Division resumes administering road tests.
- Provides accommodations for students enrolled in a driver education course in the spring semester of 2020.

This act became effective June 19, 2020.

H307 - Mod. Utility Vehicle Classification. (SL 2020-40)

S.L. 2020-40 amends the motor vehicle laws of this State to create a definition for a modified utility vehicle, sets the registration fee, and allows for the operation of a modified utility vehicle on roadways with certain restrictions.

This act became effective October 1, 2020.

H308 - Regulatory Reform Act of 2020.

Sec. 16: Nonbetterment Cost Recovery for Certain Private Water and Sewer Systems. (SL 2020-74)

Section 16 of S.L. 2020-74 adds water and sewer lines owned by a private water or sewer utility organized pursuant to Chapter 62 of the General Statutes serving 10,000 or fewer customers to the type of lines that DOT must pay to relocate for transportation improvement projects.

This section is effective retroactively to March 1, 2020, and applies to nonbetterment costs for State transportation improvement projects incurred on or after that date.

H455 - Amend Various Motor Vehicle Laws. (SL 2020-51)

S.L. 2020-51 extends deadlines related to loaner dealer registration plates and dealer data requirements and includes out-of-state titles in the titled in transit process.

This act became effective June 30, 2020.

H694 - Designate Legacy Airports. (SL 2020-62)

S.L. 2020-62 requires the North Carolina Department of Transportation to designate North Carolina airports meeting certain criteria as legacy airports.

This act became effective July 1, 2020.

H902 - P&C Changes/Glob. Tranp./Prison Pilot.

Part II: Global Transpark Provisions. (SL 2020-90)

Part II of S.L. 2020-90 modifies the application of various insurance and building code enforcement laws for privately leased or owned buildings located within the North Carolina Global TransPark.

This part became effective October 1, 2020 and applies to projects initiated or contracts entered into, renewed, or modified on or after that date.

H1105 - Coronavirus Relief Act 3.0.

Sec. 3.15: Extend Applicability Period for Certain Division of Motor Vehicles Credential Extensions. (SL 2020-97)

Section 3.15 of S.L. 2020-97 amends the applicability period of some Division of Motor Vehicles credential extensions provided for by Section 4.7 of S.L. 2020-3. An explanation of the extensions, as originally enacted, can be found in the summary for S.L. 2020-3.

This section amends the applicability period for extensions of commercial drivers licenses, commercial learner's permits, handicapped placards, special identification cards, and inspection mechanic licenses issued by the Division of Motor Vehicles so that the extension applies to those credentials that expire between March 1, 2020, and the date 30 days after the date the Governor rescinds Executive Order No. 116 or issues another order lifting restrictions on Division functions. It also authorizes the Division to waive requirements for medical examinations and certifications for commercial drivers license and commercial learner's permit holders consistent with any waiver issued by the Federal Motor Carrier Safety Administration.

This section became effective August 1, 2020, and applies to expirations occurring on or after that date.

H1105 - Coronavirus Relief Act 3.0.

Sec. 3.16: Commercial Driver Intrastate Medical Waiver Extensions. (SL 2020-97)

Section 3.16 of S.L. 2020-97 amends the authorization for the Division of Motor Vehicles to extend intrastate medical waivers for commercial drivers issued by the Division provided for by Section 4.7 of S.L. 2020-3. An explanation of the provision, as originally enacted, can be found in the summary for S.L. 2020-3.

This section amends the authorization so that the Division may provide the extension for waivers that expire on or after March 1, 2020, and before the date 30 days after the date the Governor rescinds Executive Order No. 116 or issues another order lifting restrictions on Division functions.

This section became effective August 1, 2020, and applies to expirations occurring on or after that date.

H1105 - Coronavirus Relief Act 3.0.

Sec. 3.17: Division of Motor Vehicles Improvements Report. (SL 2020-97)

Section 3.17 of S.L. 2020-97 requires the Division of Motor Vehicles to report on improvements to operations and wait times at its offices. The Division was required to report to the Joint Legislative Transportation Oversight Committee on or before September 15, 2020, detailing improvements and on or before November 1, 2020, on the effects of the implemented changes.

This section became effective September 4, 2020.

H1168 - Murphy Branch Corridor Reduction. (SL 2020-59)

S.L. 2020-59 reduces the Department of Transportation's (DOT) right-of-way interest in certain portions of the Murphy Branch rail corridor in Cherokee County and transfers certain portions of the Murphy Branch rail corridor in Cherokee County to adjacent real property owners upon the adjacent real property owner's release of all claims against the State and DOT with respect to the interest transferred.

This act became effective June 30, 2020.

CURRENT LAW: The Murphy Branch rail line was constructed in the 1880's as part of the Western North Carolina Railroad whose western terminus was the Town of Murphy. The Andrews to Murphy leg of the branch closed in 1985 and the State purchased the portion of tract between Dillsboro and Murphy. Article 2D of Chapter 136 relates to railroad revitalization and the programs for railway corridor preservation. DOT is the State agency responsible for administering all State and federal railroad revitalization programs.

S315 - North Carolina Farm Act of 2019-20.

Sec. 2: Right-of-Way for Left-Turning Farm Equipment. (SL 2020-18)

Section 2 of S.L. 2020-18 prohibits the passing of self-propelled farm equipment by vehicles proceeding in the same direction when the farm equipment is making a left turn or signaling that it intends to make a left turn.

This section becomes effective December 1, 2020, and applies to offenses committed on or after that date.

S488 - Division of Motor Vehicles/Motor Vehicle Dealer Changes. (SL 2020-77)

S.L. 2020-77 makes changes to various Division of Motor Vehicles processes including:

- Authorizing use of commission contractors to distribute temporary registration plates.
- Temporary modifications to applications for notations of security interests.
- Providing for electronic submission of dealer temporary plate orders.
- Clarification of criminal record check requirements.
- Providing a grace period for expired dealer licenses when renewal is in process.

- Allowing application for a limited driving privilege when a driver's license has been revoked solely for failing to pay fines or court costs.

The act became effective July 1, 2020, except for sections pertaining to electronic submission of dealer temporary plate orders, criminal record check requirements, and application for limited driving privilege. See full summary for specific effective dates.

S704 - COVID-19 Recovery Act .

Sec. 4.7: Division of Motor Vehicles/Extend Deadlines. (SL 2020-3)

Section 4.7 of S.L. 2020-3 extends for five months the validity of listed credentials issued by the Division of Motor Vehicles that expire on or after March 1, 2020, and before August 1, 2020. It also:

- Authorizes the Division to extend validity of intrastate medical waivers that expire during the same time frame for up to five months if the Division's Medical Review Unit determines extension is appropriate.
- Extends the validity of driving eligibility certificates dated on or after February 9, 2020, and before March 10, 2020.
- Waives fines, fees, and penalties associated with failing to renew an extended credential.
- Extends the corresponding due date for motor vehicle taxes on vehicles for which registrations have been extended.
- Provides a defense for any person charged with an offense resulting from failure to renew a credential when that credential is valid by extension.
- Requires the Division to report to the Joint Legislative Transportation Oversight Committee and Fiscal Research on the implementation of the extensions.

The applicability period for some of these extensions was amended by Sections 3.15 and 3.16 of S.L. 2020-97. An explanation of those sections can be found in the summary for that act.

This section became effective March 1, 2020, and applies to expirations occurring on or after that date.

S704 - COVID-19 Recovery Act .

Sec. 4.8: Delay Division of Motor Vehicles Headquarters Move. (SL 2020-3)

Section 4.8 of S.L. 2020-3 delays the Division of Motor Vehicles Headquarters move. A provision enacted in S.L. 2018-5 directed all workers at the Division of Motor Vehicles Headquarters in Raleigh to vacate the property by October 1, 2020. This section amends that provision, requiring that they only begin to vacate by that date.

This section became effective May 4, 2020.

S704 - COVID-19 Recovery Act .

Sec. 4.9: Department of Transportation Emergency Reserve Modification. (SL 2020-3)

Section 4.9 of S.L. 2020-3 amends requirements regarding the Transportation Emergency Reserve. The law establishing the Transportation Emergency Reserve requires the Department of Transportation to transfer \$125 million to the Emergency Reserve from the Highway Fund by July 30 of each fiscal year. This section provides that the Department does not have to transfer funds to the Reserve for the 2020-2021 fiscal year.

This section became effective May 4, 2020.

S739 - Personal Delivery Device/Delivery Robots. (SL 2020-73)

S.L. 2020-73 authorizes the use of personal delivery devices by businesses in pedestrian areas and on portions of highways and regulates their use.

The act becomes effective December 1, 2020, and applies to offenses committed on or after that date.