

# Transportation

See full summary documents for additional detail

## **Clarify Modification of the Floodplain Regulation Statutes to Deem Certain Airport Projects Permitted as Enacted in Session Law 2023-137 – 2023 Budget Technical/Other Corrections.**

SL 2024-1 (S508), Sec. 4.7

Section 4.7 of S.L. 2024-1: (i) repeals legislation enacted in 2023 that required the Department of Public Safety (DPS) to grant, in certain circumstances, a permit for the use of an eligible flood hazard area in connection with an airport project for which an airport authority received a no-rise certificate for the project; and (ii) in lieu, modifies the floodplain regulation statutes to provide that an airport project is deemed permitted for use of an eligible flood hazard area if the applicable airport authority has received a no-rise certificate for that airport project, and the no-rise certificate has been accepted by DPS.

This section became effective retroactively to October 10, 2023.

## **Clarify Division of Motor Vehicles Authority to Implement Transaction Fees on Electronic Payments – 2023 Budget Technical/Other Corrections.**

SL 2024-1 (S508), Sec. 10.1

Section 10.1 of S.L. 2024-1 makes a clarifying change to a provision enacted in 2023 authorizing the Division of Motor Vehicles (DMV) to add transaction fees to electronic payment transactions. This section makes clear this fee authority applies to all electronic payments accepted by the DMV, notwithstanding a separate general statutory provision governing electronic transaction fees implemented by public agencies.

This section became effective July 1, 2024.

## **Repeal Extension of Drivers License Duration and Allowance of Unlimited Remote Drivers License Renewals – 2023 Budget Technical/Other Corrections.**

SL 2024-1 (S508), Sec. 10.3

Section 10.3 of S.L. 2024-1 repeals the extension of drivers license duration and the allowance for unlimited remote drivers license renewals.

This section became effective July 1, 2023.

## **Exempt Public Transportation From For-Hire Ground Transport Excise Tax – 2023 Budget Technical/Other Corrections.**

SL 2024-1 (S508), Sec. 11.1

Section 11.1 of S.L. 2024-1 clarifies that for-hire ground transport service providers that provide public transportation on behalf of a State agency, certain governmental entities, or a local board of education are exempt from the for-hire ground transport excise tax.

This section becomes effective July 1, 2025, and applies to for-hire ground transport services occurring on or after that date.

## **North Carolina Department of Transportation Legislative Changes.**

SL 2024-15 (H198)

S.L. 2024-15 makes various changes to transportation laws and laws that relate to the North Carolina Department of Transportation.

This bill was vetoed by the Governor on May 23, 2024, and that veto was overridden by the General Assembly on June 27, 2024. This act has various effective dates. Please see the full summary for more detail.

## **Increase Penalty for Impeding Road During a Demonstration – Various Criminal and Election Law Changes.**

SL 2024-16 (H237), Sec. 4

Section 4 of S.L. 2024-16 imposes criminal and civil liability on individuals who obstruct emergency vehicles during demonstrations.

This bill was vetoed by the Governor on June 21, 2024, and that veto was overridden by the General Assembly on June 27, 2024.

Section 4 of S.L. 2024-16 becomes effective December 1, 2024, and applies to offenses committed and causes of action arising on or after that date.

## **Division of Motor Vehicles Proposed Legislative Changes.**

SL 2024-30 (H199)

S.L. 2024-30 makes the following changes to laws related to motor vehicles:

- Directs the Division of Motor Vehicles (DMV) to study and implement a plan for issuance of a digital version of a drivers license that can be displayed on a mobile device as a supplement to a traditional drivers license and authorizes issuance of mobile drivers licenses.

- Requires ignition interlock as a condition for restoration of a drivers license after certain revocations based on a conviction of death by motor vehicle.
- Increases the notary fee for DMV employees and officers.
- Clarifies circumstances under which transporter plates may be used.
- Requires DMV to study using alternative materials for registration plates.
- Requires DMV to study ways to modernize issuance of dealer plates.
- Conforms statutory odometer disclosure requirement to the federal requirement.
- Requires DMV to implement a print-on-demand system for issuance of temporary registration plates.
- Requires all headlamps modified or installed on a motor vehicle to comply with the federal motor vehicle safety standard.
- Increases fees for service of process upon nonresident drivers.
- Clarifies the process by which a lienor must notify owners of personal property subject to a lien prior to selling the property to satisfy the lien.
- Requires rental car companies, when renting light cargo vehicles, to make a good faith effort to recover as part of the rental transaction no more than the actual costs incurred for license and registration fees, in the same manner as is required when renting passenger vehicles.
- Authorizes remote electronic notarization and electronic signatures for motor vehicle transactions.
- Extends the duration of temporary registration plates issued by dealers from 30 to 60 days, and increases from 20 to 60 the number of days within which a dealer must mail or deliver a vehicle purchaser's application and fees for titling and registration to DMV for processing.
- Amends statutes related to commercial drivers licensing to comply with federal requirements.
- Amends the law as it relates to DMV commission contractors.
- Requires DMV to develop a highway work zone safety training course.
- Makes changes to the statute requiring DMV to contract with online motor vehicle registration vendors.
- Amends exemptions applicable to covered farm vehicles.
- Increases the fee for an annual oversize/overweight permit to move commodities and allows electric vehicle batteries to be transported as a nondivisible load for permitting purposes with the payment of an additional fee.
- Repeals provisions that would have made use of L/D plates mandatory for service loaner vehicles in 2025, so they remain optional for dealers.
- Authorizes Home of the Venus Flytrap and North Carolina School of Science and Mathematics special registration plates.
- Amends the definition of "established salesroom" to provide that a dealer is not prohibited from sharing a building with another business as long as requirements for a salesroom are met.
- Increases the licensing period for motor vehicle dealers from one year to two years, and makes other clarifying changes to the licensing statute.
- Increases the penalties for littering.

- Clarifies that Civilian Traffic Investigators employed by municipalities are not required to be licensed as private investigators.
- Increases from \$8 to \$10 the maximum tax rate transportation authorities may levy for registered motor vehicles.
- Requires the Department of Transportation (DOT) to contract with a private entity to administer the logo sign program.
- Adds clarifying language to statutes related to Turnpike Authority projects.
- Requires the CFO of DOT to align its internal ledger and business practices with its certified budget in accordance with Government Accounting Standards Board standards.
- Designates an overpass being constructed in Columbus County as the "Waccamaw Siouan Tribe Bridge".

This act has various effective dates. Please see full summary for more detail.

### **Motor Vehicle Registration Tax – DMV Proposed Legislative Changes.**

SL 2024-30 (H199), Sec. 30

Section 30 of S.L. 2024-30 increases from \$8 to \$10 the maximum tax rate transportation authorities may levy for registered motor vehicles located within their territorial jurisdiction.

This section became effective July 1, 2024.

### **Various General Local Laws.**

SL 2024-38 (H593)

S.L. 2024-38 does the following:

- Provides an additional civil penalty for violating motor vehicle restrictions on a designated road segment in Macon County, effective December 1, 2024.
- Amends certain regulations applicable to sanitary districts, effective July 8, 2024.
- Clarifies funds allocated to certain localities, effective July 8, 2024.
- Requires the State, effective July 8, 2024, to transfer certain real property to the City of Monroe.

### **Amend Eligibility for Alcoholic Beverage Sales on Trains – ABC Omnibus 2023-24.**

SL 2024-41 (S527), Sec. 11

Section 11 of S.L. 2024-41 allows malt beverages, unfortified wine, and fortified wine to also be sold and delivered to an officer or agent of a rail line that is at least 100 miles long and connects to the national rail network.

This section became effective on July 8, 2024. However, an identical provision was enacted as Section 23 of S.L. 2024-15, and that section became effective on June 27, 2024, so the substance of this provision has been effective since that date.

### **Allow Possession and Consumption of Alcoholic Beverages in the Security-Screened Area of Airports – ABC Omnibus 2023-24.**

SL 2024-41 (S527), Sec. 31

Section 31 of S.L. 2024-41 allows the consumption of malt beverages, unfortified wine, fortified wine, and mixed beverages sold by a permitted establishment throughout the Transportation Security Administration-screened portion of the establishment's respective airport terminal. A beverage sold for consumption throughout the airport terminal must be served in a container that is not made of glass, does not hold more than 16 fluid ounces, and displays the statement "Drink Responsibly – Be 21." This section applies only to airports that service airplanes boarding at least 150,000 passengers annually.

This section became effective July 8, 2024.

### **Limited Driving Privileges/ Restoration of License Modifications – Public Safety/Other Changes.**

SL 2024-43 (H250), Sec. 2

Section 2 of S.L. 2024-43 makes modifications related to limited driving privileges and ignition interlock system violations as follows:

- Authorizes a person with not more than one previous offense involving impaired driving within the preceding seven years to obtain a limited driving privilege if certain criteria are met.
- Amends provisions regarding violation of ignition interlock requirements to provide that a violation within the last 90 days of the requirement results in extension of the requirement for 90 days or until the person has been violation free for 90 days.

Section 2 of S.L. 2024-43 becomes effective December 1, 2024, and applies to limited driving privileges issued on or after that date and drivers licenses revoked on or after that date.

### **Automatic License Plate Reader System Pilot Modifications – Public Safety/Other Changes.**

SL 2024-43 (H250), Sec. 3

Section 3 of S.L. 2024-43 amends Section 5 of S.L. 2023-151 to make various modifications to the automatic license plate reader system pilot program administered by the State Bureau of Investigation in conjunction with the Department of Transportation.

This section became effective July 8, 2024.

**Clarify Minimum Age for Escort Vehicle Drivers, Allow Third Party Training and Certification, and Create Additional Requirements for Escort Vehicles – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 19

Section 19 of S.L. 2024-45 makes changes to the Department of Transportation (DOT) training and certification program for drivers of escort vehicles that accompany permitted oversize/overweight loads.

This section became effective July 9, 2024.

**Authorize Department of Transportation to Utilize Contract Methodology Flexibility for National Electric Vehicle Infrastructure Formula Program Projects – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 19.1

Section 19.1 of S.L. 2024-45 gives the Department of Transportation (DOT) contracting methodology flexibility for National Electric Vehicle Infrastructure (NEVI) Formula Program projects.

This section became effective July 9, 2024.

**Division of Motor Vehicles Modernization – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 19.2

Section 19.2 of S.L. 2024-45 provides for evaluation and oversight of Division of Motor Vehicles (DMV) modernization efforts.

This section became effective July 9, 2024.

**North Carolina Railroad Board of Directors and Related Clarifications – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 19.3

Section 19.3 of S.L. 2024-45 amends appointments to the North Carolina Railroad Board of Directors and makes technical and clarifying changes to statutes related to State-owned railroad companies.

This section became effective July 9, 2024.

## **Authorize Rail Transportation Corridor Authority – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 19.4

Section 19.4 of S.L. 2024-45 authorizes the creation of a Railroad Transportation Corridor Authority (Authority).

This section became effective July 9, 2024.

## **Titles for Off-Road Vehicles/Low-Speed Vehicle Inspections.**

SL 2024-46 (H155)

S.L. 2024-46 does the following:

- Authorizes the Division of Motor Vehicles to issue certificates of title for all-terrain vehicles and utility vehicles.
- Removes travel-lane based operation limitation on modified utility vehicles.
- Authorizes off-site safety inspections of low-speed vehicles by licensed safety inspection stations.

This bill was vetoed by the Governor on July 3, 2024, and that veto was overridden by the General Assembly on September 9, 2024. This act has various effective dates. Please see full summary for more details.

## **Waiver of Certain Division of Motor Vehicles Fees – Disaster Recovery Act of 2024.**

SL 2024-51 (H149), Sec. 11.1

Section 11.1 of S.L. 2024-51 authorizes the Governor to waive fees applicable to residents of counties impacted by Hurricane Helene or PTC8 that are assessed by the Division of Motor Vehicles (Division) for the following:

- Duplicate drivers license, duplicate commercial drivers license, or duplicate special identification card.
- First issuance of a special identification card.
- Application for a duplicate or corrected title.
- Replacement registration plate.
- Application for a duplicate registration card.
- Late payment of registration renewal fee.

The Division is authorized to refund fees collected by the Division that are waived pursuant to this section and is required to post notice of the availability of refunds on its website.

This section became effective October 10, 2024, applied to fees assessed or collected on or after September 15, 2024, and expired December 31, 2024.

### **Waiver of Certain Permitting Requirements Associated with State Highway Repairs – Disaster Recovery Act of 2024.**

SL 2024-51 (H149), Sec. 11.2

Section 11.2 of S.L. 2024-51 amends the Governor's authority, in a declared state of emergency, to waive certain environmental documents or permits for repair or replacement of a component of the State highway system. This section removes the requirement that the component being repaired or replaced provide the sole road access to an incorporated municipality or an unincorporated inhabited area bordering the Atlantic Ocean or any coastal sound and expands the authority to apply anywhere bridge or road conditions, as a result of the emergency event, pose a substantial risk to public health, safety, or welfare.

This section became effective October 10, 2024.

### **Procurement Methods Authorized in Disaster Areas – Disaster Recovery Act of 2024.**

SL 2024-51 (H149), Sec. 11.3

Section 11.3 of S.L. 2024-51 authorizes the Department of Transportation to utilize various alternative project delivery methodologies for the repair and replacement of transportation infrastructure damaged or destroyed by Hurricane Helene.

This section became effective October 10, 2024.

### **Extend Emissions Inspection Mechanic Licenses – The Disaster Recovery Act of 2024 - Part II.**

SL 2024-53 (S743), Sec. 4G.1

Section 4G.1 of S.L. 2024-53 requires the Division of Motor Vehicles to extend the validity of emissions inspection mechanic licenses issued to mechanics whose primary place of business or place of employment is in the affected area, if the license is due to expire between September 25, 2024, and March 1, 2025. The "affected area" means counties designated under a major disaster declaration by the President of the United States as a result of Hurricane Helene.

This section became effective October 25, 2024, and expires when the statewide declaration of emergency expires.

## **Reports on Certain Procurement Methods Authorized in Disaster Areas – The Disaster Recovery Act of 2024 - Part II.**

SL 2024-53 (S743), Sec. 4G.2

Section 4G.2 of S.L. 2024-53 requires the Department of Transportation (Department) to submit reports to the Joint Legislative Transportation Oversight Committee (JLTOC) and the Fiscal Research Division (FRD) for certain projects utilizing alternative project delivery methods within Hurricane Helene affected areas.

This section became effective October 25, 2024.