

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2017

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HOUSE BILL 732  
Committee Substitute Favorable 4/24/17

Short Title: Household Goods Carrier Revisions.

(Public)

Sponsors:

Referred to:

April 13, 2017

A BILL TO BE ENTITLED

AN ACT TO CLARIFY THAT AN INTRASTATE HOUSEHOLD GOODS CARRIER SHALL NOT ATTEMPT TO OPERATE UPON A ROAD WITHIN THIS STATE WITHOUT MEETING CERTAIN REQUIREMENTS, TO EXPAND THE TYPES OF LAW ENFORCEMENT THAT MAY ENFORCE THE LAWS GOVERNING AN INTRASTATE HOUSEHOLD GOODS CARRIER, AND TO AUTHORIZE THE UTILITIES COMMISSION TO SHARE CRIMINAL HISTORY RECORD CHECK INFORMATION WITH THE PUBLIC STAFF.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-398 reads as rewritten:

"§ 20-398. Household goods carrier; marking or identification of vehicles.

(a) No carrier shall operate or attempt to operate any motor vehicle upon a highway, public street, or public vehicular area within the State in the transportation of household goods for compensation unless the name or trade name and the North Carolina number assigned to the carrier by the North Carolina Utilities Commission appear on each side of the vehicle in letters and figures not less than three inches high. The North Carolina number assigned to the carrier shall also be placed on the rear left upper quadrant of the vehicle in letters and figures not less than three inches high. In case of a tractor-trailer unit, the side markings must be on the tractor and the rear markings must be on the trailer. The markings required may be printed on the vehicle or on durable placards securely fastened on the vehicle.

...

(e) Notwithstanding any provision of G.S. 20-383 to the contrary, any law enforcement officer with territorial jurisdiction may enforce the provisions of this section."

SECTION 2. G.S. 62-280.1 reads as rewritten:

"§ 62-280.1. False representation of household goods carrier certificate unlawful.

...

(b) Any person who violates subsection (a) of this ~~section~~section or who aids and abets another person in violating subsection (a) of this section shall be guilty of a Class 3 misdemeanor and punished only by a fine of not more than five hundred dollars (\$500.00) for the first offense and not more than two thousand dollars (\$2,000) for any subsequent offense.

...

(d) Notwithstanding any provision of G.S. 20-383 to the contrary, any law enforcement officer with territorial jurisdiction may enforce the provisions of this section."

SECTION 3. G.S. 143B-963 reads as rewritten:

"§ 143B-963. Criminal history record checks of applicants for and current holders of certificate to transport household goods.



1       (a)     The Department of Public Safety may provide to the Utilities Commission from the  
2 State and National Repositories of Criminal Histories the criminal history of any applicant for  
3 or current holder of a certificate to transport household goods. Along with the request, the  
4 Commission shall provide to the Department of Public Safety the fingerprints of the applicant  
5 or current holder, a form signed by the applicant or current holder consenting to the criminal  
6 history record check and use of fingerprints and other identifying information required by the  
7 State and National Repositories of Criminal Histories, and any additional information required  
8 by the Department of Public Safety. The applicant's or current holder's fingerprints shall be  
9 forwarded to the State Bureau of Investigation for a search of the State's criminal history record  
10 file, and the State Bureau of Investigation shall forward a set of fingerprints to the Federal  
11 Bureau of Investigation for a national criminal history record check. The Utilities Commission  
12 shall keep all information obtained pursuant to this section confidential. The Department of  
13 Public Safety may charge a fee to offset the cost incurred by it to conduct a criminal history  
14 record check under this section. The fee shall not exceed the actual cost of locating, editing,  
15 researching, and retrieving the information. The Department of Public Safety shall send a copy  
16 of the results of the criminal history record checks directly to the Utilities Commission Chief  
17 Clerk.

18       (b)     The Utilities Commission may provide the information obtained pursuant to this  
19 section to the Public Staff for the purpose of participating in proceedings before the  
20 Commission. The Public Staff shall keep all information obtained pursuant to this section  
21 confidential."

22               **SECTION 4.** Sections 1 and 2 of this act become effective December 1, 2017, and  
23 apply to violations committed on or after that date. The remainder of this act is effective when  
24 it becomes law.