

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

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HOUSE BILL 768

Short Title: Currituck Beach Traffic Ordinances.

(Local)

Sponsors: Representative Owens.

Referred to: Local Government II.

March 26, 2001

A BILL TO BE ENTITLED

AN ACT TO MAKE VIOLATIONS OF CURRITUCK COUNTY BEACH DRIVING
ORDINANCES ENFORCEABLE IN THE SAME MANNER AS STATE
TRAFFIC STATUTES.

The General Assembly of North Carolina enacts:

SECTION 1. Section 1 of S.L. 1985-875, as amended by S.L. 1998-64,
reads as rewritten:

"**Section 1.** Chapter 153A of the General Statutes is amended by adding a new
section to read:

"**§ 153A-139.1. Regulation of motor vehicles at beaches.**

(a) A county may by ordinance regulate, restrict, and prohibit the use of dune or
beach buggies, jeeps, motorcycles, cars, trucks, or any other form of power-driven
vehicle specified by the governing body of the county on the foreshore, beach strand,
and the barrier dune system. Violation of any ordinance adopted by the governing body
pursuant to this section is a misdemeanor, punishable by a fine of not more than five
hundred dollars (\$500.00), or by imprisonment for not more than 30 days, or both in the
discretion of the court.

(b) A county shall not prohibit the use of the specified vehicles from the foreshore,
beach strand, and the barrier dune system by commercial fishermen for commercial
activities. Commercial fishermen, however, shall abide by all other regulations or
restrictions duly enacted by counties pursuant to this section.

(c) Notwithstanding G.S. 153A-122, a city may not take any action to limit the
applicability of any ordinance adopted pursuant to this section on land within the county
that is also within the city limits.

(d) For purposes of this section, a violation of any ordinances issued pursuant to
subsection (a) of this section may be enforced in the same manner as a violation of a
provision of Article 3 of Chapter 20 of the General Statutes."

SECTION 2. This act applies to Currituck County only.

1 **SECTION 3.** This act becomes effective October 1, 2001, and applies to
2 offenses committed on or after that date. Prosecutions for offenses committed before
3 the effective date of this act are not abated or affected by this act, and the statutes that
4 would be applicable but for this act remain applicable to those prosecutions.