

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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HOUSE BILL 28

Short Title: DOT/Access of Motorcyclists. (Public)

Sponsors: Representative Torbett.

Referred to: Transportation, if favorable, Regulatory Reform

February 1, 2017

A BILL TO BE ENTITLED

AN ACT TO PROHIBIT THE DEPARTMENT OF TRANSPORTATION FROM TAKING CERTAIN ACTIONS WITH THE PURPOSE OF RESTRICTING THE ACCESS OF MOTORCYCLISTS TO HIGHWAYS, BRIDGES, TUNNELS, AND OTHER TRANSPORTATION FACILITIES.

The General Assembly of North Carolina enacts:

SECTION 1. Article 2 of Chapter 136 of the General Statutes is amended by adding a new section to read:

"§ 136-18.06. Restricting access of motorcyclists prohibited.

(a) Definitions. – The following definitions apply in this section:

(1) Action. – Formulating transportation policy, adopting rules, allocating funds, and planning, designing, constructing, equipping, operating, and maintaining transportation facilities.

(2) Motorcyclist. – A person operating or riding a motorcycle.

(b) Restricting Access Prohibited. – The Department of Transportation is prohibited from taking any action that prohibits or imposes a requirement that applies only to a motorcyclist, and the principal purpose of the action is to restrict or inhibit the access of a motorcyclist to any highway, bridge, tunnel, or other transportation facility.

(c) Parking. – The Department, and any other owner or operator of a transportation facility funded in whole or in part by State or local funds, shall make reasonable accommodations for motorcycle parking at transportation facilities. The term "reasonable accommodations" includes sectioning portions of an existing parking space where the size configuration of the parking space does not meet building code requirements for full-size motor vehicles. Nothing in this subsection shall be construed as requiring the structural or technological modification of parking structures constructed or substantially completed on or before July 1, 2016.

(d) Construction. – Nothing in this section shall be construed as altering or superseding any State or federal law that prohibits or imposes a requirement that applies only to a motorcyclist."

SECTION 2. This act becomes effective July 1, 2017.

