

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

H

2

HOUSE BILL 28
Committee Substitute Favorable 2/21/17

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

Sponsors: Representative Torbett.

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to:

February 1, 2017

1 A BILL TO BE ENTITLED
2 AN ACT TO PROHIBIT THE DEPARTMENT OF TRANSPORTATION FROM TAKING
3 CERTAIN ACTIONS WITH THE PURPOSE OF RESTRICTING THE ACCESS OF
4 MOTORCYCLISTS TO HIGHWAYS, BRIDGES, TUNNELS, AND OTHER
5 TRANSPORTATION FACILITIES.

6 The General Assembly of North Carolina enacts:

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

9 "**§ 136-18.06. Restricting access of motorcyclists prohibited.**

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

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

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

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

19 (c) Parking. – The Department, and any other owner or operator of a transportation facility
20 funded in whole or in part by State or local funds, shall make reasonable accommodations for
21 motorcycle parking at transportation facilities. The term "reasonable accommodations" includes
22 sectioning portions of an existing parking space where the size configuration of the parking space
23 does not meet building code requirements for full-size motor vehicles. Nothing in this subsection
24 shall be construed as requiring the structural or technological modification of parking structures
25 constructed or substantially completed on or before July 1, 2017.

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

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

