

GENERAL ASSEMBLY OF NORTH CAROLINA
1993 SESSION

CHAPTER 320
HOUSE BILL 1355

AN ACT TO ESTABLISH THE PERCENTAGE RATES FOR THE PUBLIC UTILITY REGULATORY FEE AND THE INSURANCE REGULATORY CHARGE, TO INCREASE AMUSEMENT DEVICE INSPECTION FEES, TO INCREASE ELEVATOR FEES, AND TO REMOVE THE SUNSET ON THE MOTORCYCLE SAFETY EDUCATION PROGRAM.

The General Assembly of North Carolina enacts:

Section 1. The percentage rate to be used in calculating the public utility regulatory fee under G.S. 62-302(b)(2) is eight and one-half hundredths percent (0.085%) of each public utility's North Carolina jurisdictional revenues earned during each quarter that begins on or after July 1, 1993.

Sec. 2. The percentage rate to be used in calculating the insurance regulatory charge under G.S. 58-6-25 is seven and twenty-five hundredths percent (7.25%) for the 1993 calendar year.

Sec. 3. G.S. 95-106 reads as rewritten:

"§ 95-106. Amusement, aerial tramway, and inclined railroad inspection fees.

(a) The Department of Labor shall assess and collect the following inspection service fees for annual inspections for each location within the State of amusement devices, aerial passenger tramways, and inclined railroads:

Type Inspection	Unit Fee
Amusement Devices	\$15
Gondolas, Chairlifts, and Inclined Railroads	137
J- or T-Bars	62
Rope Tows	31

(b) In the event that an amusement device owner or operator notifies the Department of Labor pursuant to G.S. 95-111.8 that he intends to operate one or more amusement devices for the public at a particular location and requests an inspection at a particular time:

- (1) When the inspector arrives and no amusement devices are present, the Department shall assess a fee against the owner or operator ~~at an amount sufficient~~ to cover the cost of travel to and from the location at ~~a rate not to exceed twenty-three cents (23¢) per mile~~ the mileage rate set forth in G.S. 138-6 plus an hourly rate of up to sixty dollars (\$60.00) for each inspector for the time expended by the inspector in

travelling to and from the location at a rate not to exceed fifteen dollars (\$15.00) per hour per inspector. location.

- (2) When the inspector arrives and amusement devices are ~~present but present~~, are not ready for inspection, but become ready for inspection before the inspector leaves, the Department shall assess a fee ~~in an amount sufficient against the owner or operator~~ to cover the time the inspector must wait before ~~he can make~~ making the inspection at a ~~an hourly rate not to exceed fifteen dollars (\$15.00)~~ sixty dollars (\$60.00) per hour per for each inspector.
- (3) ~~If~~ When the inspector must make ~~an additional a return~~ trip to ~~the a~~ location because ~~the amusement devices were not ready for inspection at the appropriate time,~~ when the inspector made a previous trip to the location, the Department shall ~~add to the fees authorized under this subdivision the cost of the additional travel required at a rate not to exceed twenty three cents (23¢) per mile plus the cost of the travel time expended by the inspector at a rate not to exceed fifteen dollars (\$15.00) per hour per inspector.~~ assess a fee against the owner or operator to cover the cost of travel to and from the location in the amount set in subdivision (1) of this subsection.
- (4) No fee shall be assessed pursuant to this subsection if the owner or operator has notified the Department of Labor at least 24 hours in advance that the amusement devices will not be present or that the devices will not be ready for inspection until a later specified time.

(c) The Commissioner of Labor may adopt rules to implement this section. The rules shall conform to Article 14B of this Chapter and shall promote the effective utilization of the staff of the Commissioner."

Sec. 4. G.S. 95-105 reads as rewritten:

"§ 95-105. Elevator, escalator, dumbwaiter, and special equipment inspection fees.

The Department of Labor shall assess and collect the following inspection service fees for the installation and alteration of elevators, escalators, dumbwaiters that are not installed or altered in restaurants, and special equipment based on the cost of installation or alteration:

Cost of Installation or Alteration	Unit Fee
\$0 - \$ 10,000	\$ 100
10,001 - 30,000	150
30,001 - 50,000	200
50,001 - 80,000	250
80,001 - 100,000	300
Over 100,000	350

An additional fee of one hundred dollars (\$100.00) shall be assessed for each follow-up inspection of a new installation required subsequent to the original inspection.

The Department of Labor shall assess and collect a fee of ten dollars (\$10.00) for the periodic inspection of special equipment and shall assess and collect the following fees for the periodic inspection of elevators, escalators, and dumbwaiters:

Number of Building Floors

1-5 Floors	\$20	<u>30</u>
6-10 Floors	30	<u>40</u>
11-15 Floors	40	<u>50</u>
16-20 Floors	50	<u>60</u>
21 Floors and over	60	<u>70.</u>

Sec. 5. Section 4 of Chapter 755 of the 1989 Session Laws reads as rewritten:

"Sec. 4. This act ~~shall become effective October 1, 1989, and shall expire October 1, 1993.~~ becomes effective October 1, 1989."

Sec. 6. Sections 1, 3, 4, and 5 of this act become effective July 1, 1993. The remaining sections of this act are effective upon ratification.

In the General Assembly read three times and ratified this the 9th day of July, 1993.

Dennis A. Wicker
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives