

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE BILL 976

Short Title: Public Vehicular Areas Defined. (Public)

Sponsors: Representatives Boylan; Allen, Almond, Avila, Barnhart, Blue, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Cleveland, Crawford, Current, Daughtry, Dickson, Dockham, Faison, Farmer-Butterfield, Fisher, Glazier, Gulley, Haire, Hall, T. Harrell, Harrison, Hilton, Holliman, Hurley, Justice, Langdon, Lewis, Lucas, Luebke, Martin, McAllister, McElraft, Neumann, Ross, Samuelson, Starnes, Sutton, Tarleton, Thomas, Tillis, Tolson, Walend, R. Warren, Weiss, West, Wiley, and Wilkins.

Referred to: Transportation, if favorable, Judiciary I.

March 22, 2007

A BILL TO BE ENTITLED

AN ACT TO CLARIFY THE DEFINITION OF PUBLIC VEHICULAR AREA IN
MOTOR VEHICLE LAW.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-4.01(32) reads as rewritten:

"§ 20-4.01. Definitions.

Unless the context requires otherwise, the following definitions apply throughout this Chapter to the defined words and phrases and their cognates:

...

(32) Public Vehicular Area. – Any area within the State of North Carolina that meets one or more of the following requirements:

a. The area is used by the public for vehicular traffic at any time, including by way of illustration and not limitation any drive, driveway, road, roadway, street, alley, or parking lot upon the grounds and premises of any of the following:

1. Any public or private hospital, college, university, school, orphanage, church, or any of the institutions, parks or other facilities maintained and supported by the State of North Carolina or any of its subdivisions.

2. Any service station, drive-in theater, supermarket, store, restaurant, or office building, or any other business, residential, or municipal establishment providing parking

- 1 space whether the business or establishment is open or
2 closed.
- 3 3. Any property owned by the United States and subject to
4 the jurisdiction of the State of North Carolina. (The
5 inclusion of property owned by the United States in this
6 definition shall not limit assimilation of North Carolina
7 law when applicable under the provisions of Title 18,
8 United States Code, section 13).
- 9 b. The area is a beach area used by the public for vehicular traffic.
- 10 c. The area is a road used by vehicular traffic within or leading to
11 a subdivision, whether or not the subdivision roads have been
12 offered for dedication to the public.
- 13 d. The area is a portion of private property used by vehicular
14 traffic and designated by the private property owner as a public
15 vehicular area in accordance with G.S. 20-219.4.
- 16 e. The area is a road used by vehicular traffic within or leading to
17 a gated subdivision, whether or not the subdivision roads have
18 been offered for dedication to the public. Any person,
19 association, or other legal entity having responsibility for a
20 controlled access system on a road that is a public vehicular
21 area shall provide a means of access to all emergency service
22 vehicles, which shall include law enforcement, fire, rescue,
23 ambulance, and first responder vehicles."

24 **SECTION 2.** This act becomes effective October 1, 2007.