

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE BILL 976
Committee Substitute Favorable 4/19/07

Short Title: Public Vehicular Areas Defined.

(Public)

Sponsors:

Referred to:

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
space whether the business or establishment is open or
closed.
 3. Any property owned by the United States and subject to
the jurisdiction of the State of North Carolina. (The
inclusion of property owned by the United States in this
definition shall not limit assimilation of North Carolina

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

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