

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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HOUSE BILL 28
Committee Substitute Favorable 2/21/17
Committee Substitute #2 Favorable 3/28/17

Short Title: DOT/Access of Motorcyclists.

(Public)

Sponsors:

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 PARKING DECKS.

5 The General Assembly of North Carolina enacts:

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

8 "**§ 136-18.06. Restricting access of motorcyclists prohibited.**

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

10 (1) Action. – Formulating transportation policy, adopting rules, allocating funds,
11 and planning, designing, constructing, equipping, operating, and maintaining
12 any highway, bridge, tunnel, or parking deck.

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

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

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

25 (d) Construction. – Nothing in this section shall be construed as altering or superseding
26 an enactment of the General Assembly or federal law that prohibits or imposes a requirement
27 that applies only to a motorcyclist."

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

