

April 9, 2009

**H 1312. TECHNICAL CORRECTIONS-HIGHWAY/MV STATUTES.** Filed 04/08/09. *TO CHANGE THE APPLICATION OF THE EQUITY FORMULA TO DISTRIBUTIONS OF PROCEEDS DERIVED FROM GARVEE BONDS, TO ADD PUBLIC SERVICE VEHICLE TO THE VEHICLES WHICH ARE COVERED UNDER THE MOVE OVER LAW, TO ALLOW A LAW ENFORCEMENT OFFICER TO REMOVE A VEHICLE FROM A HIGHWAY IF THE OFFICER DEEMS IT A HAZARD TO THE PUBLIC, TO REQUIRE A SIGNED AND SEALED TRAFFIC SIGNAL PLAN FOR PHOTOGRAPHIC TRAFFIC CONTROL SYSTEMS, AND TO MAKE OTHER TECHNICAL CORRECTIONS TO THE STATUTES.*

Amends GS 20-157(a) and (f) [move-over law], GS 20-161(a) and (b) [prohibition against standing vehicles on highways], GS 160A-300.1(c1) [traffic signal plans] and GS 160A-303(b1)(4) [vehicles abandoned on public streets] and repeals GS 136-17.2A(i) as title indicates. The amendments to GS 20-157 and GS 20-161 are effective December 1, 2009, and apply to offenses committed on or after that date. The remaining amendments become effective when the act becomes law.

**Intro. by Martin.**

GS 20, 136, 160A

May 11, 2009

**H 1312. OMNIBUS HIGHWAY/MV STATUTE CHANGES (NEW).** Filed 4/8/09. House committee substitute makes the following changes to 1st edition. Rewrites title to read, *AN ACT TO CLARIFY THE APPLICABILITY OF THE LAW REQUIRING DRIVERS TO PULL OVER AND STOP WHEN APPROACHED BY A FIRE OR RESCUE VEHICLE, TO CLARIFY THAT PUBLIC SERVICE VEHICLES ARE COVERED UNDER THE MOVE OVER LAW, TO MODIFY THE CURRENT PROHIBITION ON PARKING ON HIGHWAYS OR HIGHWAY SHOULDERS, TO CHANGE THE TIME PERIOD IN WHICH THE DIVISION OF MOTOR VEHICLES MUST HOLD AN ADMINISTRATIVE HEARING FOR A VIOLATION OF THE MOTOR VEHICLE INSPECTION PROGRAM STATUTES BY AN EMISSIONS INSPECTION STATION LICENSE HOLDER, TO CLARIFY RESTRICTIONS ON OPERATING A SCHOOL BUS OR ACTIVITY BUS WHILE OCCUPIED BY A CHILD OR CHILDREN, TO EXEMPT DISTRIBUTIONS OF PROCEEDS DERIVED FROM GARVEE BONDS FROM THE STATE EQUITY DISTRIBUTION FORMULA FOR TRANSPORTATION FUNDS, AND TO SPECIFY THAT THE YELLOW LIGHT DURATION INTERVAL FOR A TRAFFIC CONTROL PHOTOGRAPHIC SYSTEM BE SPECIFIED IN A TRAFFIC SIGNAL PLAN SIGNED AND SEALED BY A PROFESSIONAL ENGINEER.* In addition to provisions in 1st edition: (1) rewrites GS 20-183.8G(b) to provide that the hearing requested by emissions inspection station license holder must be held within 15 business days after receipt of the request (was, 3 business days with possible extension); (2) rewrites GS 20-218, relating to qualifications for school bus drivers, to make clear that they apply to buses occupied by one or more child passengers, effective December 1, 2009; and (3) rewrites GS 160A-300.2(e) and GS 160A-300.3(e), requiring certain yellow light change intervals, to be no less than the duration specified on the recorded traffic signal plan signed and sealed by a professional engineer, which must be in compliance with the Manual on Uniform Traffic Control Devices (was, the Design Manual developed by the Signals and Geometrics Section).

August 4, 2009

**H 1312. OMNIBUS HIGHWAY/MV STATUTE CHANGES.** Filed 4/8/09. Senate committee substitute makes the following changes to 2nd edition. Amends GS 20-157(f) to add that when any vehicle clearly marked as a rural letter carrier is parked or standing within 12 feet of a roadway the driver of every approaching vehicle must, as soon as it is safe and, when not otherwise lawfully directed, perform one of the specified actions to safely pass the rural letter carrier vehicle. Provides in proposed amended GS 20-161(a) that a person is prohibited from parking or leave standing any vehicle upon the main-traveled (was, paved or main-traveled) portion of any highway or highway bridge with the speed limit posted less than 45 miles an hour (was, on the state highway system) unless the vehicle is disabled under certain conditions. Enacts new GS 20-161(a1) to prohibit a person from parking or leave standing any vehicle upon the paved or main-traveled portion of any highway or highway bridge with the speed limit posted

45 miles an hour or greater unless the vehicle is disabled under certain conditions. Provides in proposed amended GS 20-161(b) that a person is prohibited from parking or leave standing any vehicle upon the shoulder of a public highway (was, of a public highway on the state highway system) unless the vehicle can be clearly seen by approaching drivers from a distance of 200 feet in both directions and does not obstruct the normal movement of traffic.

Amends GS 136-17.2A (Distribution formula for funds expended on Intrastate System and Transportation Improvement Program) to add that funds from the Appalachian Regional Commission for the Appalachian Development Highway System (Commission) are to be distributed throughout the state in accordance with the statute. Deletes the repeal of GS 136-17.2A(i) and, instead, amends the subsection to provide that all funds used in repayment of (was, funds derived from) "GARVEE" bonds issued pursuant to GS 136-18(12b) are subject to (was, distributed in accordance with) the provisions of GS 136-17.2A.

Enacts new GS 136-44.2D to require that the Department of Transportation use all funds received from the Commission to complete construction of the Appalachian Development Highway System roads.

Makes conforming changes to proposed amended GS 20-218 and the act's effective date.

Changes the title to *AN ACT TO CLARIFY THE APPLICABILITY OF THE LAW REQUIRING DRIVERS TO PULL OVER AND STOP WHEN APPROACHED BY A FIRE OR RESCUE VEHICLE, TO PROVIDE THAT PUBLIC SERVICE VEHICLES AND RURAL LETTER CARRIER VEHICLES ARE COVERED UNDER THE MOVE OVER LAW, TO MODIFY THE CURRENT PROHIBITION ON PARKING ON HIGHWAYS OR HIGHWAY SHOULDERS, TO CHANGE THE TIME PERIOD IN WHICH THE DIVISION OF MOTOR VEHICLES MUST BE HOLD AN ADMINISTRATIVE HEARING FOR A VIOLATION OF MOTOR VEHICLE INSPECTION PROGRAM STATUTES BY AN EMISSIONS INSPECTION STATION LICENSE HOLDER, TO CLARIFY RESTRICTIONS ON OPERATING A SCHOOL BUS OR ACTIVITY BUS WHILE OCCUPIED BY A CHILD OR CHILDREN, TO EXEMPT FUNDS RECEIVED FROM THE APPALACHIAN REGIONAL COMMISSION FOR THE APPALACHIAN DEVELOPMENT HIGHWAY SYSTEMS ROADS FROM THE STATE EQUITY DISTRIBUTION FORMULA FOR TRANSPORTATION FUNDS, TO CLARIFY THAT THE FUNDS USED IN REPAYMENT OF GARVEE BONDS ARE SUBJECT TO THE STATE EQUITY DISTRIBUTION FORMULA FOR TRANSPORTATION FUNDS, TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO USE ALL FUNDS RECEIVED FROM THE APPALACHIAN REGIONAL COMMISSION FOR THE APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM TO COMPLETE CONSTRUCTION OF THE APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM ROADS, AND TO SPECIFY THAT THE YELLOW LIGHT DURATION INTERVAL FOR A TRAFFIC CONTROL PHOTOGRAPHIC SYSTEM BE SPECIFIED IN A TRAFFIC SIGNAL PLAN SIGNED AND SEALED BY A PROFESSIONAL ENGINEER.*