

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

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HOUSE BILL 1025\*  
Committee Substitute Favorable 6/3/14  
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PROPOSED SENATE COMMITTEE SUBSTITUTE H1025-PCS40240-RW-90

Short Title: DOT/DMV Changes.

(Public)

Sponsors:

Referred to:

May 15, 2014

A BILL TO BE ENTITLED

1 AN ACT TO (1) AUTHORIZE CONTINUANCES OF DIVISION OF MOTOR VEHICLES  
2 INSPECTION STATION VIOLATION CASES; (2) PROVIDE THAT AGRICULTURAL  
3 TOURISM SIGNS ON STATE HIGHWAYS ARE SUBJECT TO DEPARTMENT OF  
4 TRANSPORTATION LOCATION AND PLACEMENT RULES; (3) CHANGE THE  
5 DUE DATE FOR THE NORTH CAROLINA TURNPIKE AUTHORITY ANNUAL  
6 AUDIT REPORT TO OCTOBER; (4) REPEAL A REQUIREMENT THAT THE  
7 DEPARTMENT OF TRANSPORTATION ANNUALLY REPORT RIGHT TURN ON  
8 RED PEDESTRIAN CRASHES; (5) AMEND THE STATE DRIVERS LICENSE  
9 MATERIAL TECHNICAL STANDARDS; (6) APPLY ALTERNATE PRIORITIZATION  
10 CRITERIA UNDER THE STRATEGIC TRANSPORTATION INVESTMENTS ACT  
11 FORMULA TO FEDERAL AND STATE FUNDS USED FOR EMERGENCY REPAIR  
12 WORK; (7) REENACT THE AUTHORIZATION FOR THE DEPARTMENT OF  
13 TRANSPORTATION TO PARTICIPATE IN PRIVATE DEVELOPER CONTRACTS  
14 FOR IMPROVEMENTS TO THE STATE HIGHWAY SYSTEM, SUBJECT TO A LIMIT  
15 OF THE LESSER OF TEN PERCENT OR TWO HUNDRED FIFTY THOUSAND  
16 DOLLARS; (8) TO EXCLUDE FEDERAL LANDS ACCESS PROGRAM FUNDS  
17 FROM THE STRATEGIC TRANSPORTATION INVESTMENTS ACT FORMULA, AS  
18 RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT  
19 COMMITTEE; (9) UPDATE STATE LAW GOVERNING DEPARTMENT OF  
20 TRANSPORTATION OVERSIGHT OF THE SAFETY OF RAIL FIXED GUIDEWAY  
21 PUBLIC TRANSPORTATION SYSTEMS; (10) AUTHORIZE THE DEPARTMENT OF  
22 TRANSPORTATION TO INSTALL AND OPERATE RAMP METERS AND TO  
23 PROVIDE THAT VIOLATION OF A RAMP METER SIGNAL IS AN INFRACTION;  
24 (11) CLARIFY STATE LAW CONCERNING FERRY RECEIPT GENERATING  
25 ACTIVITIES; (12) SPECIFY PENALTIES FOR VIOLATION OF REQUIRED ETHICS  
26 REPORTING PROVISIONS APPLICABLE TO METROPOLITAN PLANNING  
27 ORGANIZATIONS AND RURAL TRANSPORTATION PLANNING  
28 ORGANIZATIONS; AND (13) AUTHORIZE THE DEPARTMENT OF  
29 TRANSPORTATION TO CONTRACT FOR SPONSORSHIP ARRANGEMENTS FOR  
30 DEPARTMENT OPERATIONS.  
31

32 The General Assembly of North Carolina enacts:  
33

34 **DMV INSPECTION STATION CASE CONTINUANCES**



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1           **SECTION 1.** G.S. 20-183.8G reads as rewritten:

2   "**§ 20-183.8G. Administrative and judicial review.**

3       (a)   Right to Hearing. – A person who applies for a license or registration under this Part  
4   or who has a license or registration issued under this Part has the right to a hearing when any of  
5   the following occurs:

6           (1)   The Division denies the person's application for a license or registration.

7           (2)   The Division delivers to the person a written statement of charges of a  
8   violation that could result in the suspension or revocation of the person's  
9   license.

10          (3)   The Division summarily suspends or revokes the person's license following  
11   review and authorization of the proposed adverse action by a judge.

12          (4)   The Division assesses a civil penalty against the person.

13          (5)   The Division issues a warning letter to the person.

14          (6)   The Division cancels the person's registration.

15       (b)   Hearing After Statement of Charges. – When a license holder receives a statement  
16   of charges of a violation that could result in the suspension or revocation of the person's  
17   license, the person can obtain a hearing by making a request for a hearing. The person must  
18   make the request to the Division within 10 days after receiving the statement of the charges. A  
19   person who does not request a hearing within this time limit waives the right to a hearing.

20       The Division must hold a hearing requested under this subsection within 30 days after  
21   receiving the ~~request.~~ request, unless the matter is continued for good cause. The hearing must  
22   be held at the location designated by the Division. Suspension or revocation of the license is  
23   stayed until a decision is made following the hearing.

24       If a person does not request a hearing within the time allowed for making the request, the  
25   proposed suspension or revocation becomes effective the day after the time for making the  
26   request ends. If a person requests a hearing but does not attend the hearing, the proposed  
27   suspension or revocation becomes effective the day after the date set for the hearing.

28       (c)   Hearing After Summary Action. – When the Division summarily suspends a license  
29   issued under this Part after judicial review and authorization of the proposed action, the person  
30   whose license was suspended or revoked may obtain a hearing by filing with the Division a  
31   written request for a hearing. The request must be filed within 10 days after the person was  
32   notified of the summary action. The Division must hold a hearing requested under this  
33   subsection within 14 days after receiving the request.

34       (d)   All Other Hearings. – When this section gives a person the right to a hearing and  
35   subsection (b) or (c) of this section does not apply to the hearing, the person may obtain a  
36   hearing by filing with the Division a written request for a hearing. The request must be filed  
37   within 10 days after the person receives written notice of the action for which a hearing is  
38   requested. The Division must hold a hearing within 90 days after the Division receives the  
39   ~~request.~~ request, unless the matter is continued for good cause.

40       (e)   Review by Commissioner. – The Commissioner may conduct a hearing required  
41   under this section or may designate a person to conduct the hearing. When a person designated  
42   by the Commissioner holds a hearing and makes a decision, the person who requested the  
43   hearing has the right to request the Commissioner to review the decision. The procedure set by  
44   the Division governs the review by the Commissioner of a decision made by a person  
45   designated by the Commissioner.

46       (f)   Decision. – Upon the Commissioner's review of a decision made after a hearing on  
47   the imposition of a monetary penalty against a motorist for an emissions violation or on a Type  
48   I, II, or III violation by a license holder, the Commissioner must uphold any monetary penalty,  
49   license suspension, license revocation, or warning required by G.S. 20-183.7A, G.S. 20-183.8A  
50   or G.S. 20-183.8B, respectively, if the decision is based on evidence presented at the hearing  
51   that supports the hearing officer's determination that the motorist or license holder committed

1 the act for which the monetary penalty, license suspension, license revocation, or warning was  
2 imposed. Pursuant to the authority under G.S. 20-183.7A(c) and G.S. 20-183.8B(c), the  
3 Commissioner may order a suspension for a first occurrence Type I violation of a station to be  
4 stayed upon reasonable compliance terms to be determined by the Commissioner. Pursuant to  
5 the authority under G.S. 20-183.7A(d1) and G.S. 183.8B(c2), the Commissioner may order the  
6 suspensions against a license holder to run consecutively or concurrently. The Commissioner  
7 may uphold, dismiss, or modify a decision made after a hearing on any other action.

8 (g) Judicial Review. – Article 4 of Chapter 150B of the General Statutes governs  
9 judicial review of an administrative decision made under this section."

## 10 11 **AGRITOURISM SIGN LOCATION/DOT STANDARDS**

12 **SECTION 2.** G.S. 106-22.5(a) reads as rewritten:

13 "(a) The Department of Agriculture and Consumer Services shall work with the  
14 Department of Transportation to provide directional signs on major highways at or in  
15 reasonable proximity to the nearest interchange ~~or within one mile~~ leading to an agricultural  
16 facility that promotes tourism by providing tours and on-site sales or samples of North Carolina  
17 agricultural products to area tourists. The Department shall follow the sign location and  
18 placement rules of the Department of Transportation's Tourist-Oriented Directional Signs and  
19 Logo Signs programs."

## 20 21 **TURNPIKE AUTHORITY ANNUAL AUDIT DATE CHANGE**

22 **SECTION 3.** G.S. 136-89.193(b) reads as rewritten:

23 "(b) Annual Reports. – The Authority shall, promptly following the close of each fiscal  
24 year, submit an annual report of its activities for the preceding fiscal year and an annual audit  
25 of its books and accounts for the preceding fiscal year to the Governor, the General Assembly,  
26 and the Department of Transportation. ~~Each report shall be accompanied by an audit of its~~  
27 ~~books and accounts.~~ The report and audit shall be submitted no later than October 31 of the  
28 fiscal year in which the report and audit are completed."

## 29 30 **REPEAL REPORT/RIGHT TURN ON RED**

31 **SECTION 4.** G.S. 20-158(b)(2)d. is repealed.

## 32 33 **DRIVERS LICENSE MATERIAL TECHNICAL STANDARD**

34 **SECTION 5.** G.S. 20-7(n) reads as rewritten:

35 "(n) Format. – A drivers license issued by the Division must be tamperproof and must  
36 contain all of the following information:

- 37 (1) An identification of this State as the issuer of the license.
- 38 (2) The license holder's full name.
- 39 (3) The license holder's residence address.
- 40 (4) ~~A color photograph, or a properly applied laser engraved picture on~~  
41 ~~polycarbonate material, of the license holder, taken by the Division.~~ A color  
42 photograph of the license holder applied to material that is measured by the  
43 industry standard of security and durability and is resistant to tampering and  
44 reproduction.
- 45 (5) A physical description of the license holder, including sex, height, eye color,  
46 and hair color.
- 47 (6) The license holder's date of birth.
- 48 (7) An identifying number for the license holder assigned by the Division. The  
49 identifying number may not be the license holder's social security number.
- 50 (8) Each class of motor vehicle the license holder is authorized to drive and any  
51 endorsements or restrictions that apply.

1 (9) The license holder's signature.

2 (10) The date the license was issued and the date the license expires.

3 The Commissioner shall ensure that applicants 21 years old or older are issued drivers  
4 licenses and special identification cards that are printed in a horizontal format. The  
5 Commissioner shall ensure that applicants under the age of 21 are issued drivers licenses and  
6 special identification cards that are printed in a vertical format, that distinguishes them from the  
7 horizontal format, for ease of identification of individuals under age 21 by members of  
8 industries that regulate controlled products that are sale restricted by age and law enforcement  
9 officers enforcing these laws.

10 At the request of an applicant for a drivers license, a license issued to the applicant must  
11 contain the applicant's race."

### 12 13 **ALTERNATE CRITERIA FOR EMERGENCY REPAIR UNDER STRATEGIC** 14 **TRANSPORTATION INVESTMENTS ACT**

15 **SECTION 6.** G.S. 136-189.11 is amended by adding a new subsection to read:

16 "(c1) Emergency Funds With Alternative Criteria. – The following funds, obligated in  
17 support of emergency repair work necessary to restore essential travel, minimize the extent of  
18 damage, or protect remaining facilities, as a result of events that occurred during a federal- or  
19 State-declared emergency that significantly damaged the State-maintained transportation  
20 system to the extent that safe passage is jeopardized, shall be subject to subsection (d) of this  
21 section but shall not be subject to the prioritization criteria set forth in that subsection:

22 (1) Federal or State funds obligated for repairs for which federal Emergency  
23 Relief Funds are available pursuant to 23 U.S.C. § 125.

24 (2) State funds obligated for repairs to damage occurring as a result of an event  
25 that is lawfully declared to be a federal or State emergency."

### 26 27 **DOT PARTNERSHIP WITH PRIVATE DEVELOPERS**

28 **SECTION 7.** Section 2 of S.L. 2009-235 reads as rewritten:

29 "**SECTION 2.** This act is effective when it becomes law. This act shall expire on ~~December~~  
30 ~~31, 2011.~~December 31, 2016."

### 31 32 **EXCLUDE FEDERAL LANDS ACCESS FUNDS**

33 **SECTION 8.** G.S. 136-189.11(b) reads as rewritten:

34 "(b) Funds Excluded From Formula. – The following funds are not subject to this  
35 section:

36 (1) Federal congestion mitigation and air quality improvement program funds  
37 appropriated to the State by the United States pursuant to 23 U.S.C. §  
38 104(b)(2) and 23 U.S.C. § 149.

39 (2) Funds received through competitive awards or discretionary grants through  
40 federal appropriations either for local governments, transportation  
41 authorities, transit authorities, or the Department.

42 (3) Funds received from the federal government that under federal law may only  
43 be used for Appalachian Development Highway System projects.

44 (4) Funds used in repayment of "GARVEE" bonds related to Phase I of the  
45 Yadkin River Veterans Memorial Bridge project.

46 (5) Funds committed to gap funding for toll roads funded with bonds issued  
47 pursuant to G.S. 136-176.

48 (6) Funds obligated for projects in the State Transportation Improvement  
49 Program that are scheduled for construction as of October 1, 2013, in State  
50 fiscal year 2012-2013, 2013-2014, or 2014-2015.

- 1 (7) Toll collections from a turnpike project under Article 6H of this Chapter and  
2 other revenue from the sale of the Authority's bonds or notes or project  
3 loans, in accordance with G.S. 136-89.192.
- 4 (8) Toll collections from the State-maintained ferry system collected under the  
5 authority of G.S. 136-82.
- 6 (9) Federal State Planning and Research Program funds (23 U.S.C. § 505) and  
7 Metropolitan Planning funds (23 U.S.C. §§ 104 and 134).
- 8 (10) Federal Lands Access Program funds received by the State pursuant to 23  
9 U.S.C. § 204."

## 11 UPDATE FIXED GUIDEWAY SYSTEM SAFETY OVERSIGHT

12 SECTION 9. G.S. 136-18(36) reads as rewritten:

- 13 "(36) The Department shall have the following powers related to fixed guideway  
14 public transportation system safety:
- 15 a. To oversee the safety of fixed guideway ~~transit~~ public transportation  
16 systems in the State not regulated by the Federal Railroad  
17 Administration, pursuant to the ~~Intermodal Surface Transportation~~  
18 Efficiency Act of 1991 (49 U.S.C. § 5330). 49 U.S.C. § 5329 and 49  
19 U.S.C. § 5330 and any reauthorizations of or amendments to those  
20 sections. The Department shall adopt rules in conformance with 49  
21 U.S.C. § 5329 and 49 U.S.C. § 5330 concerning its oversight of the  
22 safety of fixed guideway ~~transit~~ public transportation systems.
- 23 b. The Department shall examine and inspect the condition of each rail  
24 fixed guideway public transportation system and its equipment and  
25 facilities for the purpose of ensuring the safety and convenience of  
26 the public and the rail fixed guideway public transportation system's  
27 employees. If the Department finds any equipment or facilities to be  
28 unsafe, it shall at once notify the rail fixed guideway public  
29 transportation system and require the rail fixed guideway public  
30 transportation system to repair the equipment or facilities.
- 31 c. The Department may conduct, in a manner consistent with federal  
32 law, a program of accident prevention and public safety covering all  
33 rail fixed guideway public transportation systems and may  
34 investigate the cause of any rail fixed guideway public transportation  
35 system accident. In order to facilitate this program, any rail fixed  
36 guideway public transportation system involved in an accident  
37 meeting the reporting thresholds defined by the Department shall  
38 report the accident to the Department.
- 39 d. The Department shall review, approve, oversee, and enforce each rail  
40 fixed guideway public transportation system's implementation of the  
41 public transportation system safety plan required pursuant to 49  
42 U.S.C. § 5329(d).
- 43 e. The Department shall audit, at least once triennially, each rail fixed  
44 guideway public transportation system's compliance with the public  
45 transportation agency safety plan required pursuant to 49 U.S.C. §  
46 5329(d).
- 47 f. The Department shall provide, at least once annually, a status report  
48 on the safety of the rail fixed guideway public transportation systems  
49 overseen by the Department to the Federal Transit Administration,  
50 the Governor, and the Board of Directors, or equivalent entity, of any

1 rail fixed guideway public transportation system the Department  
2 oversees.

3 g. The Department shall not receive funding for the activities  
4 authorized by sub-subdivisions a. through f. of this subdivision from  
5 any rail fixed guideway public transportation systems subject to the  
6 Department's authority pursuant to the provisions of sub-subdivisions  
7 a. through f. of this subdivision."  
8

## 9 RAMP METER AUTHORIZED/PENALTY

10 **SECTION 10.(a)** G.S. 20-4.01 is amended by adding a new subdivision to read:

11 "(32a) Ramp Meter. – A traffic control device that consists of a circular red and  
12 circular green display placed at a point along an interchange entrance ramp."

13 **SECTION 10.(b)** G.S. 20-158(c) is amended by adding a new subdivision to read:

14 "(6) When a ramp meter is displaying a circular red display, vehicles facing the  
15 red light must stop. When a ramp meter is displaying a circular green  
16 display, a vehicle may proceed for each lane of traffic facing the meter.  
17 When the display is dark or not emitting a red or green display, a vehicle  
18 may proceed without stopping. A violation of this subdivision is an  
19 infraction. No drivers license points or insurance surcharge shall be assessed  
20 as a result of a violation of this subdivision."

21 **SECTION 10.(c)** G.S. 20-4.01(32a) reads as rewritten:

22 "(32a)(32b) Recreational Vehicle. – A vehicular type unit primarily designed  
23 as temporary living quarters for recreational, camping, or travel use that  
24 either has its own motive power or is mounted on, or towed by, another  
25 vehicle. The basic entities are camping trailer, fifth-wheel travel trailer,  
26 motor home, travel trailer, and truck camper.  
27 ...."

28 **SECTION 10.(d)** G.S. 20-4.01(32b) reads as rewritten:

29 "(32b)(32c) Regular Drivers License. – A license to drive a commercial  
30 motor vehicle that is exempt from the commercial drivers license  
31 requirements or a noncommercial motor vehicle."

32 **SECTION 10.(e)** G.S. 20-305(6)d.1.I. reads as rewritten:

33 "I. Each new and unsold motor vehicle within the new  
34 motor vehicle dealer's inventory that has been  
35 acquired within 24 months of the effective date of the  
36 termination from the manufacturer or distributor or  
37 another same line-make dealer in the ordinary course  
38 of business, and which has not been substantially  
39 altered or damaged to the prejudice of the  
40 manufacturer or distributor while in the new motor  
41 vehicle dealer's possession, and which has been driven  
42 less than 1,000 miles or, for purposes of a recreational  
43 vehicle motor home as defined in G.S. 20-4.01(32a)a.,  
44 G.S. 20-4.01(32b)a., less than 1,500 miles following  
45 the original date of delivery to the dealer, and for  
46 which no certificate of title has been issued. For  
47 purposes of this sub-subdivision, the term "ordinary  
48 course of business" shall include inventory transfers  
49 of all new, same line-make vehicles between affiliated  
50 dealerships, or otherwise between dealerships having  
51 common or interrelated ownership, provided that the

transfer is not intended solely for the purpose of benefiting from the termination assistance described in this sub-subdivision."

**SECTION 10.(f)** G.S. 20-305(6)f. reads as rewritten:

"f. The provisions of sub-subdivision e. above shall not be applicable when the termination, nonrenewal, or cancellation of the franchise agreement by a new motor vehicle dealer is the result of the sale of assets or stock of the motor vehicle dealership. The provisions of sub-subdivisions d. and e. above shall not be applicable when the termination, nonrenewal, or cancellation of the franchise agreement is at the initiation of a new motor vehicle dealer of recreational vehicle motor homes, as defined in ~~G.S. 20-4.01(32a)a.,~~ G.S. 20-4.01(32b)a., provided that at the time of the termination, nonrenewal, or cancellation, the recreational vehicle manufacturer or distributor has paid to the dealer all claims for warranty or recall work, including payments for labor, parts, and other expenses, which were submitted by the dealer 30 days or more prior to the date of termination, nonrenewal, or cancellation."

**CLARIFY FERRY RECEIPT GENERATING ACTIVITIES**

**SECTION 11.(a)** G.S. 136-82(f) reads as rewritten:

**"§ 136-82. Department of Transportation to establish and maintain ferries.**

...  
 (f) Authority to Generate Certain Receipts. – The Department of Transportation, notwithstanding any other provision of law, may operate or contract for the following receipt-generating activities and use the proceeds for ferry passenger vessel replacement projects in the manner set forth in subsection ~~(e)-(d)~~ of this section:

- (1) Operation of, concessions on the ferries and at ferry facilities to provide to passengers on the ferries food, drink, and other refreshments, personal comfort items, Internet access, and souvenirs publicizing the ferry system.
- (2) ~~The Sponsorships, including, but not limited to, the sale of naming rights to any ferry vessel, ferry route, or ferry facility.~~
- (3) Advertising on or within any ferry vessel, including vessel or at any ferry facility, including, but not limited to, display advertising and advertising delivered to passengers through the use of video monitors, public address systems installed in passenger areas, and other electronic media.
- (4) Any other receipt-generating activity not otherwise forbidden by applicable law pertaining to public health or safety.

The Department may issue rules to implement this subsection.

...."

**SECTION 11.(b)** G.S. 66-58(c) is amended by adding a new subdivision to read:

"(21) Any activity conducted by the Department of Transportation that is authorized by G.S. 136-82(f)."

**MPO/RPO ETHICS FINES**

**SECTION 12.(a)** G.S. 136-200.2 reads as rewritten:

"...

(g) Ethics Provisions. – All individuals with voting authority serving on a metropolitan planning organization who are not members of the Board of Transportation shall do all of the following:

...

(4) File, with and in the same manner as the statement of economic interest filed under subdivision (3) of this subsection, an additional disclosure of a list of all real estate owned wholly or in part by the MPO member, the MPO member's extended family, or a business with which the MPO member is associated within the jurisdiction of the MPO on which the MPO member is serving. All additional disclosures of real estate filed by MPO members are public records under Chapter 132 of the General Statutes. The penalties for failure to file shall be as set forth in G.S. 138A-25(d).

...  
 (j) Violations. – A violation of subdivision (1) of subsection (g) of this section shall be a Class 1 misdemeanor. An MPO member who knowingly conceals or knowingly fails to disclose information that is required to be disclosed on a required filing under subdivisions (3) or (4) of subsection (g) of this section shall be guilty of a Class 1 misdemeanor. An MPO member who provides false information on a required filing under subdivisions (3) or (4) of subsection (g) of this section knowing that the information is false is guilty of a Class H felony. If the State Ethics Commission receives written allegations of violations of this section, the Commission shall report such violations to the Attorney General for investigation and referral to the District Attorney for possible prosecution. All written allegations or related documents are confidential and are not matters of public record.

..."  
**SECTION 12.(b)** G.S. 136-211 reads as rewritten:

"...  
 (f) Ethics Provisions. – All individuals with voting authority serving on a rural transportation planning organization who are not members of the Board of Transportation shall do all of the following:

...  
 (4) File, with and in the same manner as the statement of economic interest filed under subdivision (3) of this subsection, an additional disclosure of a list of all real estate owned wholly or in part by the rural transportation planning organization member, the rural transportation planning organization member's extended family, or a business with which the rural transportation planning organization member is associated within the jurisdiction of the rural transportation planning organization on which the rural transportation planning organization member is serving. All additional disclosures of real estate filed by members are public records under Chapter 132 of the General Statutes. The penalties for failure to file shall be as set forth in G.S. 138A-25(d).

...  
 (j) Violations. – A violation of subdivision (1) of subsection (f) of this section shall be a Class 1 misdemeanor. A rural transportation planning organization member who knowingly conceals or knowingly fails to disclose information that is required to be disclosed on a required filing under subdivisions (3) or (4) of subsection (f) of this section shall be guilty of a Class 1 misdemeanor. A rural transportation planning organization member who provides false information on a required filing under subdivisions (3) or (4) of subsection (f) of this section knowing that the information is false is guilty of a Class H felony. If the State Ethics Commission receives written allegations of violations of this section, the Commission shall report such violations to the Attorney General for investigation and referral to the District Attorney for possible prosecution. All written allegations or related documents are confidential and are not matters of public record.



1           **SECTION 12.(c)** G.S. 138A-25 is amended by adding the following new  
2 subsections to read:

3           "(d) Within 30 days after the date due under G.S. 138A-22, the Commission shall notify  
4 persons who are required to file a Statement of Economic Interest under G.S. 136-200.2(g)(3)  
5 or G.S. 136-211(f)(3) of a failure to file the Statement of Economic Interest or the filing of an  
6 incomplete Statement of Economic Interest. The Commission shall notify the filing person that  
7 if the Statement of Economic Interest is not filed or completed within 30 days of receipt of the  
8 notice of failure to file or complete, the filing person shall be fined and referred for prosecution  
9 after an additional 30 days, as provided for in this section.

10           (1) Any filing person who fails to file a Statement of Economic Interest under  
11 G.S. 136-200.2(g)(3) or G.S. 136-211(f)(3) within 30 days of the receipt of  
12 the notice required under this section shall be fined two hundred fifty dollars  
13 (\$250.00) by the Commission for not filing or filing an incomplete  
14 Statement of Economic Interest, except in extenuating circumstances as  
15 determined by the Commission.

16           (2) Failure by any filing person to file or complete the Statement of Economic  
17 Interest within 60 days of the receipt of the notice required under this  
18 subsection shall be a Class 1 misdemeanor. The Commission shall report  
19 such failure to the Attorney General for investigation and referral to the  
20 District Attorney for possible prosecution, unless the Commission  
21 determines extenuating circumstances exist.

22           (e) Within 30 days after the date due under G.S. 138A-22, the Commission shall notify  
23 persons who are required to file an additional disclosure under G.S. 136-200.2(g)(4) or  
24 G.S. 136-211(f)(4) of a failure to file the additional disclosure or the filing of an incomplete  
25 additional disclosure. The Commission shall notify the filing person that if the additional  
26 disclosure is not filed or completed within 30 days of receipt of the notice of failure to file or  
27 complete, the filing person shall be fined and referred for prosecution after an additional 30  
28 days, as provided for in this section.

29           (1) Any filing person who fails to file or who files an incomplete additional  
30 disclosure within 30 days of the receipt of the notice required under this  
31 section shall be fined two hundred fifty dollars (\$250.00) for not filing or  
32 filing an incomplete additional disclosure, except in extenuating  
33 circumstances as determined by the Commission.

34           (2) Failure by any filing person to file or complete the additional disclosure  
35 within 60 days of the receipt of the notice required under this subsection  
36 shall be a Class 1 misdemeanor. The Commission shall report such failure to  
37 the Attorney General for investigation and referral to the District Attorney  
38 for possible prosecution, unless the Commission determines extenuating  
39 circumstances exist."

#### 40 41 **DOT SPONSORSHIPS AUTHORIZED**

42           **SECTION 13.** G.S. 136-18 is amended by adding a new subdivision to read:

43           "(44) The Department is authorized to contract for sponsorship arrangements for  
44 Department operations and may solicit contracts for such arrangements  
45 pursuant to Article 2 of this Chapter. All amounts collected and all savings  
46 realized as a result of these sponsorship arrangements shall be used by the  
47 Department toward funding of maintenance activities."

#### 48 49 **EFFECTIVE DATE**

50           **SECTION 14.** Section 1 of this act becomes effective October 1, 2014. Section 10  
51 of this act becomes effective December 1, 2014, and applies to offenses committed on or after

1 that date. Section 12 of this act becomes effective October 1, 2014, and applies to obligations to  
2 file additional disclosures arising on or after that date. The remaining sections of this act are  
3 effective when they become law.