

ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1094

AMENDMENT NO. A1
(to be filled in by
Principal Clerk)

H1094-ASU-39 [v.5]

Page 1 of 3

Amends Title [NO]
Fourth Edition

Date _____, 2026

Senator Lazzara

1 moves to amend the bill on page 13, lines 19-35, by rewriting the lines to read:

2
3 **"AUTHORIZE THE CITY OF DURHAM TO SET A MUNICIPAL DEFAULT SPEED**
4 **LIMIT**

5 **SECTION 17.5.(a)** G.S. 20-141 is amended by adding a new subsection to read:

6 "(e2) Notwithstanding the speed limits set in subsection (b) of this section or any other
7 provision of law to the contrary, a municipality may, by ordinance, establish a lower default
8 speed limit of not less than 20 miles per hour on streets within the corporate limits of the
9 municipality that are not part of the State highway system. A default speed limit established
10 pursuant to this subsection shall apply to every street within the designated area without requiring
11 the posting of individual speed limit signs on each street segment, provided the municipality
12 erects conspicuous gateway signs at each primary point of vehicular entry into the municipality,
13 or into any defined zone within the municipality, in conformance with the Manual on Uniform
14 Traffic Control Devices, giving notice of the applicable default speed limit. Higher or lower
15 speeds limits posted on individual streets pursuant to subsection (e) of this section shall supersede
16 the default speed limit on those streets. A default speed limit established pursuant to this
17 subsection is effective upon adoption of an ordinance by the municipality and erection of the
18 required gateway signs. The municipality shall maintain a publicly accessible map identifying
19 all streets subject to the default speed limit and all streets on which a different speed limit has
20 been posted pursuant to subsection (e) of this section. Upon written notice from the municipality
21 identifying streets or areas for which a default speed limit has been established pursuant to this
22 subsection, the Department of Transportation shall post the applicable statutory speed limit, not
23 to exceed 35 miles per hour, on State highway system streets, except those designated as part of
24 the Interstate Highway System or other controlled access highway, located within the identified
25 area, unless a different speed limit has been established pursuant to subsection (f) of this section.
26 Nothing in this subsection shall be construed to authorize a municipality to establish or modify
27 speed limits on streets that are part of the State highway system, except as otherwise provided in
28 this section."

29 **SECTION 17.5.(b)** This section applies to the City of Durham only.

30
31 **EXPEDITED REVIEW OF CITY OF DURHAM STATE HIGHWAY SPEED LIMIT**
32 **REQUESTS**



* H 1 0 9 4 - A S U - 3 9 - V - 5 *

ADOPTED

AMENDMENT NO. A1

(to be filled in by
Principal Clerk)

H1094-ASU-39 [v.5]

Page 2 of 3

1 **SECTION 17.6.(a)** As used in this section, "request" means a written submission by
2 a municipality to the Department of Transportation pursuant to G.S. 20-141(f) seeking the
3 establishment or modification of a speed limit on a street located within the corporate limits of
4 the municipality that is part of the State highway system. A request shall be submitted by the
5 municipality to both the Division Engineer and the State Traffic Engineer, either by certified mail
6 or by electronic transmission, with delivery confirmation. A request is deemed received on the
7 date the Department confirms receipt.

8 **SECTION 17.6.(b)** The Department shall complete an initial review of a request
9 within 30 days of the date of receipt, as determined by subsection (a) of this section. Upon
10 completion of the initial review, the Department shall do one of the following:

11 (1) Approve the requested speed limit change and execute a concurring ordinance
12 in accordance with G.S. 20-141(f), if the Department determines, based on
13 engineering and traffic data and the exercise of engineering judgment, that the
14 requested speed limit is reasonable and safe.

15 (2) Issue a written notice of concern to the municipality that identifies: the
16 Department's specific concerns with the request; any additional engineering
17 investigations, traffic studies, speed analyses, or crash evaluations necessary
18 to support the request; and the conditions, if any, under which the Department
19 could reasonably agree to the requested speed limit.

20 Issuance of a notice of concern constitutes final Department action for purposes of this
21 section, unless the municipality submits a revised or supplemented request or files an appeal. A
22 municipality may appeal a notice of concern issued under subdivision (2) of this subsection to
23 the State Traffic Engineer within 30 days of receipt of the notice. The State Traffic Engineer shall
24 respond within 30 days of receipt of the appeal with either an approval of the request or a written
25 notice of concern that meets the requirements of subdivision (2) of this subsection. A written
26 notice from the State Traffic Engineer constitutes final Department action for purposes of this
27 section, unless the municipality submits a revised or supplemental request.

28 **SECTION 17.6.(c)** If the Department fails to take action pursuant to subsection (b)
29 of this section within 90 days of the date of receipt of a request, or within 90 days of the date of
30 receipt of a revised or supplemented request, the request is deemed approved.

31 **SECTION 17.6.(d)** Upon approval of a request pursuant to this section, the
32 Department shall execute a concurring ordinance within 60 days and shall erect appropriate speed
33 limit signs on the affected State highway system streets within 60 days thereafter, in accordance
34 with G.S. 20-141(f) and the Manual on Uniform Traffic Control Devices. A speed limit approved
35 under this section is effective when the Department has erected the required signs.

36 **SECTION 17.6.(e)** Nothing in this section shall be construed to authorize a
37 municipality to unilaterally establish or modify speed limits on streets that are part of the State
38 highway system, or to require the Department to approve a speed limit that is not reasonable and
39 safe under the conditions found to exist upon the affected highway, as required by G.S. 20-141(f).

40 **SECTION 17.6.(f)** This section applies to the City of Durham only."; and

41
42 on page 21, lines 12-13, by deleting "enterprise pursuant to Chapter 160A of the General
43 Statutes." and substituting "enterprise."; and

NORTH CAROLINA GENERAL ASSEMBLY

AMENDMENT

House Bill 1094

ADOPTED

AMENDMENT NO. A1
(to be filled in by
Principal Clerk)

H1094-ASU-39 [v.5]

Page 3 of 3

1
2 on page 21, lines 25-35, by rewriting the lines to read:

3
4 "by law. For purposes of this subdivision, "municipally owned electric enterprise" shall mean an
5 enterprise owned or operated pursuant to Chapter 160A of the General Statutes or an enterprise
6 owned or operated by a public works authority or public utilities commission created pursuant to
7 a local act of the General Assembly. The"; and

8
9 on page 26, lines 31-32, by inserting the following new section between the lines:

10 **"MAKE TECHNICAL CORRECTION RELATED TO MOTOR VEHICLE DEALERS**

11 **SECTION 32.5.(a)** If Senate Bill 595, 2025 Regular Session, becomes law, then
12 G.S. 105-187.1(a)(6), as amended by Section 7.1(a) of that act, reads as rewritten:

13 "(6) Retailer. – A retailer as defined in G.S. 105-164.3 who is engaged in the
14 business of selling motor vehicles, offering short-term or long-term leases or
15 rentals, long term leases or rentals, rentals of motor vehicles, or vehicle
16 subscriptions for motor vehicles."

17 **SECTION 32.5.(b)** This section becomes effective October 1, 2026."

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

**The official copy of this document, with signatures
and vote information, is available in the
Senate Principal Clerk's Office**