

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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HOUSE BILL 309
Committee Substitute Favorable 4/26/23
PROPOSED SENATE COMMITTEE SUBSTITUTE H309-CSSU-17 [v.2]
05/31/2024 04:32:53 PM

Short Title: Various Transportation Changes.

(Public)

Sponsors:

Referred to:

March 9, 2023

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR APPOINTMENT OF THE COMMISSIONER OF MOTOR VEHICLES BY THE GOVERNOR SUBJECT TO SENATORIAL ADVICE AND CONSENT AND TO PROVIDE FLEXIBILITY IN CONTRACTING FOR NEVI FORMULA PROJECTS.

The General Assembly of North Carolina enacts:

APPOINTMENT OF COMMISSIONER OF MOTOR VEHICLES

SECTION 1. G.S. 20-2 reads as rewritten:

"§ 20-2. **Commissioner of Motor Vehicles; rules.**

(a) ~~Commissioner and Assistants.~~ Commissioner. – The Division of Motor Vehicles shall be administered by the Commissioner of Motor Vehicles, who shall be appointed by and serve at the pleasure of the ~~Secretary of the Department of Transportation.~~ Governor. The Governor shall notify the President of the Senate of the name of the person to be appointed, and the appointment shall be subject to senatorial advice and consent in conformance with G.S. 143B-9(a).

(a1) Commissioner salary. – The Commissioner shall be paid an annual salary to be fixed by the Governor and allowed traveling expenses as allowed by law.

(a2) Assistants. – In any action, proceeding, or matter of any kind, to which the Commissioner of Motor Vehicles is a party or in which he may have an interest, all pleadings, legal notices, proof of claim, warrants for collection, certificates of tax liability, executions, and other legal documents, may be signed and verified on behalf of the Commissioner of Motor Vehicles by the Assistant Commissioner of Motor Vehicles or by any director or assistant director of any section of the Division of Motor Vehicles or by any other agent or employee of the Division so authorized by the Commissioner of Motor Vehicles.

(b) Rules. – The Commissioner may adopt rules to implement this Chapter. Chapter 150B of the General Statutes governs the adoption of rules by the Commissioner."

AUTHORIZE DEPARTMENT TO UTILIZE CONTRACT METHODOLOGY FLEXIBILITY FOR NEVI FORMULA PROGRAM PROJECTS

SECTION 2. Notwithstanding any other provision of law, the Department of Transportation is authorized to utilize, design-build, indefinite delivery, indefinite quantity, public-private partnership, or any other contracting methodology authorized by applicable federal law to administer the National Electric Vehicle Infrastructure (NEVI) Formula Program. For the purposes of this section, Department of Transportation projects which utilize contracting



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1 methodologies authorized by this section to implement, administer, or utilize NEVI Formula
2 Program funds shall not count against Department project contract award authorization caps
3 limiting the use of certain construction methodologies.
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5 **EFFECTIVE DATE**

6 **SECTION 3.** Except as otherwise provided, this act is effective when it becomes law.