



HOUSE BILL 118: First Responders Act of 2019.

2019-2020 General Assembly

Committee:	House Transportation. If favorable, re-refer to Judiciary. If favorable, re-refer to Finance. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	March 5, 2019
Introduced by:	Reps. Warren, Corbin, D. Hall, Potts	Prepared by:	Howard Marsilio Committee Counsel
Analysis of:	PCS to First Edition H118-CSBG-6		

OVERVIEW: *Part III of the Proposed Committee Substitute (PCS) to House Bill 118 would require the North Carolina Department of Transportation to study the needs of first responders to improve access to or within the interstate system for the benefit of public safety.*

[Part III of the bill is the only portion that is transportation-related and is set out at the end of this summary for reference.]

The PCS amends the report due date within Part III of the bill from March 1, 2020 to March 1, 2022.

The bill would also make the following changes related to first responders:

- *Part I would create a State income tax deduction for an individual who works as an unpaid member of a volunteer fire department, volunteer rescue squad, or emergency medical services squad, and attends at least 36 hours of training and meetings during the taxable year.*
- *Part II would exclude from property tax 100% of the appraised value of a permanent residence owned and occupied by a person who is a North Carolina resident and the surviving spouse who has not remarried of an emergency personnel officer who was killed in the line of duty.*
- *Part IV would exempt emergency medical services personnel, while on duty, who are deployed providing tactical medical assistance to law enforcement in an emergency situation, from the general prohibition against concealed weapons if they have had specific training.*

CURRENT LAW/BILL ANALYSIS: Part III of the PCS would direct the Department of Transportation to study improving access of emergency personnel to the interstate system within the State for the benefit of public safety.

In conducting the study, the Department would be authorized to consult with:

- The Division of Emergency Management of the Department of Public Safety.
- The Office of State Fire Marshal of the Department of Insurance.
- The Office of Emergency Medical Services of the Department of Health and Human Services.
- Any other State or local government organizations the Department of Transportation determines may be of assistance in the course of the study.

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The Department would be required to do all of the following:

- Consult with county fire marshal divisions, emergency management offices, and emergency medical service divisions to determine potential sites of interest for construction or improvement.
- Establish criteria to prioritize sites of interest.
- Review applicable federal and State laws, codes, standards, and studies.
- Review existing Department planning, design, and construction standards for interchanges, median crossovers, and access points, and how those standards consider the needs of law enforcement, emergency medical and emergency management personnel, and firefighters.
- Consider the feasibility of providing opportunities for stakeholder input during the planning of future interstate improvements.
- Examine any other matters the Department deems relevant.

The Department would be required to report its findings and recommendations to the Joint Legislative Oversight Committee on Justice and Public Safety, Joint Legislative Emergency Management Oversight Committee, and Joint Legislative Transportation Oversight Committee no later than March 1, 2022.

EFFECTIVE DATE: Part III would become effective when the act becomes law.

PART III. INTERSTATE ACCESS STUDY

SECTION 3.(a) *Study.* – The Department of Transportation shall study the needs of law enforcement, emergency medical and emergency management personnel, and firefighters to improve access to or within the interstate system within this State for the benefit of public safety. In conducting the study, the Department of Transportation may consult with the Division of Emergency Management of the Department of Public Safety, the Office of State Fire Marshal of the Department of Insurance, the Office of Emergency Medical Services of the Department of Health and Human Services, and any other State or local government organizations the Department of Transportation determines may be of assistance in the course of the study. In performing the study, the Department of Transportation shall, at a minimum, take the following steps:

- (1) Consult with county fire marshal divisions, emergency management offices, and emergency medical service divisions to determine potential sites of interest for construction or improvement relevant to the study.
- (2) Establish criteria to prioritize sites of interest for either construction or improvement.
- (3) Review applicable federal and State laws, codes, standards, and studies relevant to the study.
- (4) Review (i) existing Department of Transportation planning, design, and construction standards for interchanges, median crossovers, and access points and (ii) how those standards consider the needs of law enforcement, emergency medical and emergency management personnel, and firefighters.
- (5) Consider the feasibility of providing opportunities for stakeholder input during the planning of future interstate improvements that focus on the needs of law enforcement, emergency medical and emergency management personnel, and firefighters.
- (6) Examine any other matters the Department of Transportation deems relevant in the course of the study.

SECTION 3.(b) *Report.* – The Department of Transportation shall report the findings and recommendations, including any legislative proposals, to the Joint Legislative Oversight Committee on

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Justice and Public Safety, Joint Legislative Emergency Management Oversight Committee, and Joint Legislative Transportation Oversight Committee no later than March 1, 2022.