



HOUSE BILL 67: Road Barrier Prohibition.

2019-2020 General Assembly

Committee:	House Transportation. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	February 26, 2019
Introduced by:	Reps. McNeill, Shepard, Goodman, R. Turner	Prepared by:	Howard Marsilio
Analysis of:	PCS to First Edition H67-CSBG-3		Committee Counsel

OVERVIEW: *The Proposed Committee Substitute (PCS) to House Bill 67 would expand a prohibition on driving upon, moving, or damaging, roadway barriers erected by the North Carolina Department of Transportation (NCDOT) for construction work, to include roadway barriers erected for closures due to dangerous conditions.*

The PCS makes technical corrections to correct a coded bill drafting error, and clarify that the prohibition does not apply to personnel of emergency management agencies. It also adds language indicating that the prohibition would not apply to utility services personnel.

CURRENT LAW: G.S. 136-26 authorizes NCDOT to close transportation infrastructure for construction, and erect barriers accordingly. Current law prohibits removal, damaging, or driving around these barriers. A willful violation of this section is a Class 1 misdemeanor.

BILL ANALYSIS: This PCS would expand the authorization to allow NCDOT to close transportation infrastructure due to dangerous conditions, and would further prohibit removal, damaging, driving around, closure barriers for this reason. Additionally, it would also add an exception to the prohibitions for law enforcement, first responders, personnel of emergency management agencies, or NCDOT personnel acting in the course of their official duties. This prohibition would also not apply to utility services personnel acting in coordination with NCDOT. A willful violation of this section would remain a Class 1 misdemeanor.

EFFECTIVE DATE: This act would become effective December 1, 2019 and would apply to offenses committed on or after that date.

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