



HOUSE BILL 67: Road Barrier Prohibition.

2019-2020 General Assembly

Committee:	House Rules, Calendar, and Operations of the House	Date:	March 11, 2019
Introduced by:	Reps. McNeill, Shepard, Goodman, R. Turner	Prepared by:	Wendy Ray
Analysis of:	Second Edition		Staff Attorney

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

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

BILL ANALYSIS: House Bill 67 would expand the authorization to allow the Department to close transportation infrastructure due to dangerous conditions and would further prohibit removing, damaging, or driving around closure barriers erected for this reason. It would also add an exception to the prohibitions for law enforcement, first responders, personnel of emergency management agencies, or Department personnel acting in the course of their official duties. The prohibition would also not apply to utility services personnel acting in coordination with the Department. A willful violation of this section would remain a Class 1 misdemeanor.

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

Howard Marsilio, counsel to House Transportation, substantially contributed to this summary.

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