



HOUSE BILL 416: Establish Park South Station Traffic Violations.

2021-2022 General Assembly

Committee:	House Local Government. If favorable, re-	Date:	May 5, 2021
	refer to Rules, Calendar, and Operations of the		
	House		
Introduced by:	Reps. Autry, Howard, Belk	Prepared by:	Jonathan Zator
Analysis of:	PCS to First Edition		Committee Counsel
	H416-CSBV-18		

OVERVIEW: *House Bill 416 would allow law enforcement officers contracted by the Park South Station Community (Community) to enforce traffic violations occurring within the community.*

The Proposed Committee Substitute (PCS) would clarify that motor vehicle laws are applicable to the Community and would provide for the Charlotte City Council to modify the Community's speed limit.

CURRENT LAW: It is generally unlawful to operate a vehicle in excess of 35 miles per hour inside city corporate limits (G.S. 20-141(b)(1)). Cities may establish speed limits of less than 35 miles per hour on streets if they are not part of the State Highway System and there is appropriate signage (G.S. 20-141(e)).

These limitations apply only on streets or highways, which are roadways open to the public as a matter of right (G.S. 20-4.01(13) and (46)). Private roads that have not been dedicated to the municipality are not streets because they are not open to the public as a matter of right. Such private roadways are considered public vehicular areas, which are defined in part as roads used by vehicular traffic within or leading to a gated or non-gated subdivision or community, whether or not the subdivision or community roads have been offered for dedication to the public (G.S. 20-4.01(32c)).

G.S. 15A 302 provides for citations and G.S. 15A 401 provides for arrests by a law enforcement officer. Persons in violation of the State's motor vehicle laws on public streets and highways may be subject to citation or arrest (Chapter 20 of the General Statutes).

BILL ANALYSIS: The PCS to House Bill 416 would allow a law enforcement officer contracted by the Community to enforce motor vehicle violations that occur on the Community's private roadways. The Charlotte City Council would be able to modify the speed limit in the Community area.

EFFECTIVE DATE: This act would be effective when it becomes law and only apply to the City of Charlotte.

Jeffrey Hudson
Director



Legislative Analysis
Division
919-733-2578