

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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HOUSE BILL 1025*
Committee Substitute Favorable 6/3/14
Third Edition Engrossed 6/4/14
Senate Transportation Committee Substitute Adopted 6/11/14

Short Title: DOT/DMV Changes.

(Public)

Sponsors:

Referred to:

May 15, 2014

A BILL TO BE ENTITLED

1 AN ACT TO (1) AUTHORIZE CONTINUANCES OF DIVISION OF MOTOR VEHICLES
2 INSPECTION STATION VIOLATION CASES; (2) PROVIDE THAT AGRICULTURAL
3 TOURISM SIGNS ON STATE HIGHWAYS ARE SUBJECT TO DEPARTMENT OF
4 TRANSPORTATION LOCATION AND PLACEMENT RULES; (3) CHANGE THE
5 DUE DATE FOR THE NORTH CAROLINA TURNPIKE AUTHORITY ANNUAL
6 AUDIT REPORT TO OCTOBER; (4) REPEAL A REQUIREMENT THAT THE
7 DEPARTMENT OF TRANSPORTATION ANNUALLY REPORT RIGHT TURN ON
8 RED PEDESTRIAN CRASHES; (5) AMEND THE STATE DRIVERS LICENSE
9 MATERIAL TECHNICAL STANDARDS; (6) APPLY ALTERNATE PRIORITIZATION
10 CRITERIA UNDER THE STRATEGIC TRANSPORTATION INVESTMENTS ACT
11 FORMULA TO FEDERAL AND STATE FUNDS USED FOR EMERGENCY REPAIR
12 WORK; (7) REENACT THE AUTHORIZATION FOR THE DEPARTMENT OF
13 TRANSPORTATION TO PARTICIPATE IN PRIVATE DEVELOPER CONTRACTS
14 FOR IMPROVEMENTS TO THE STATE HIGHWAY SYSTEM, SUBJECT TO A LIMIT
15 OF THE LESSER OF TEN PERCENT OR TWO HUNDRED FIFTY THOUSAND
16 DOLLARS; (8) TO EXCLUDE FEDERAL LANDS ACCESS PROGRAM FUNDS
17 FROM THE STRATEGIC TRANSPORTATION INVESTMENTS ACT FORMULA, AS
18 RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT
19 COMMITTEE; (9) UPDATE STATE LAW GOVERNING DEPARTMENT OF
20 TRANSPORTATION OVERSIGHT OF THE SAFETY OF RAIL FIXED GUIDEWAY
21 PUBLIC TRANSPORTATION SYSTEMS; (10) AUTHORIZE THE DEPARTMENT OF
22 TRANSPORTATION TO INSTALL AND OPERATE RAMP METERS AND TO
23 PROVIDE THAT VIOLATION OF A RAMP METER SIGNAL IS AN INFRACTION;
24 (11) CLARIFY STATE LAW CONCERNING FERRY RECEIPT GENERATING
25 ACTIVITIES; (12) SPECIFY PENALTIES FOR VIOLATION OF REQUIRED ETHICS
26 REPORTING PROVISIONS APPLICABLE TO METROPOLITAN PLANNING
27 ORGANIZATIONS AND RURAL TRANSPORTATION PLANNING
28 ORGANIZATIONS; AND (13) AUTHORIZE THE DEPARTMENT OF
29 TRANSPORTATION TO CONTRACT FOR SPONSORSHIP ARRANGEMENTS FOR
30 DEPARTMENT OPERATIONS.
31

32 The General Assembly of North Carolina enacts:
33

34 **DMV INSPECTION STATION CASE CONTINUANCES**



1 **SECTION 1.** G.S. 20-183.8G reads as rewritten:

2 "**§ 20-183.8G. Administrative and judicial review.**

3 (a) Right to Hearing. – A person who applies for a license or registration under this Part
4 or who has a license or registration issued under this Part has the right to a hearing when any of
5 the following occurs:

6 (1) The Division denies the person's application for a license or registration.

7 (2) The Division delivers to the person a written statement of charges of a
8 violation that could result in the suspension or revocation of the person's
9 license.

10 (3) The Division summarily suspends or revokes the person's license following
11 review and authorization of the proposed adverse action by a judge.

12 (4) The Division assesses a civil penalty against the person.

13 (5) The Division issues a warning letter to the person.

14 (6) The Division cancels the person's registration.

15 (b) Hearing After Statement of Charges. – When a license holder receives a statement
16 of charges of a violation that could result in the suspension or revocation of the person's
17 license, the person can obtain a hearing by making a request for a hearing. The person must
18 make the request to the Division within 10 days after receiving the statement of the charges. A
19 person who does not request a hearing within this time limit waives the right to a hearing.

20 The Division must hold a hearing requested under this subsection within 30 days after
21 receiving the ~~request.~~ request, unless the matter is continued for good cause. The hearing must
22 be held at the location designated by the Division. Suspension or revocation of the license is
23 stayed until a decision is made following the hearing.

24 If a person does not request a hearing within the time allowed for making the request, the
25 proposed suspension or revocation becomes effective the day after the time for making the
26 request ends. If a person requests a hearing but does not attend the hearing, the proposed
27 suspension or revocation becomes effective the day after the date set for the hearing.

28 (c) Hearing After Summary Action. – When the Division summarily suspends a license
29 issued under this Part after judicial review and authorization of the proposed action, the person
30 whose license was suspended or revoked may obtain a hearing by filing with the Division a
31 written request for a hearing. The request must be filed within 10 days after the person was
32 notified of the summary action. The Division must hold a hearing requested under this
33 subsection within 14 days after receiving the request.

34 (d) All Other Hearings. – When this section gives a person the right to a hearing and
35 subsection (b) or (c) of this section does not apply to the hearing, the person may obtain a
36 hearing by filing with the Division a written request for a hearing. The request must be filed
37 within 10 days after the person receives written notice of the action for which a hearing is
38 requested. The Division must hold a hearing within 90 days after the Division receives the
39 ~~request.~~ request, unless the matter is continued for good cause.

40 (e) Review by Commissioner. – The Commissioner may conduct a hearing required
41 under this section or may designate a person to conduct the hearing. When a person designated
42 by the Commissioner holds a hearing and makes a decision, the person who requested the
43 hearing has the right to request the Commissioner to review the decision. The procedure set by
44 the Division governs the review by the Commissioner of a decision made by a person
45 designated by the Commissioner.

46 (f) Decision. – Upon the Commissioner's review of a decision made after a hearing on
47 the imposition of a monetary penalty against a motorist for an emissions violation or on a Type
48 I, II, or III violation by a license holder, the Commissioner must uphold any monetary penalty,
49 license suspension, license revocation, or warning required by G.S. 20-183.7A, G.S. 20-183.8A
50 or G.S. 20-183.8B, respectively, if the decision is based on evidence presented at the hearing
51 that supports the hearing officer's determination that the motorist or license holder committed

1 the act for which the monetary penalty, license suspension, license revocation, or warning was
2 imposed. Pursuant to the authority under G.S. 20-183.7A(c) and G.S. 20-183.8B(c), the
3 Commissioner may order a suspension for a first occurrence Type I violation of a station to be
4 stayed upon reasonable compliance terms to be determined by the Commissioner. Pursuant to
5 the authority under G.S. 20-183.7A(d1) and G.S. 183.8B(c2), the Commissioner may order the
6 suspensions against a license holder to run consecutively or concurrently. The Commissioner
7 may uphold, dismiss, or modify a decision made after a hearing on any other action.

8 (g) Judicial Review. – Article 4 of Chapter 150B of the General Statutes governs
9 judicial review of an administrative decision made under this section."

10 11 **AGRITOURISM SIGN LOCATION/DOT STANDARDS**

12 **SECTION 2.** G.S. 106-22.5(a) reads as rewritten:

13 "(a) The Department of Agriculture and Consumer Services shall work with the
14 Department of Transportation to provide directional signs on major highways at or in
15 reasonable proximity to the nearest interchange ~~or within one mile~~ leading to an agricultural
16 facility that promotes tourism by providing tours and on-site sales or samples of North Carolina
17 agricultural products to area tourists. The Department shall follow the sign location and
18 placement rules of the Department of Transportation's Tourist-Oriented Directional Signs and
19 Logo Signs programs."

20 21 **TURNPIKE AUTHORITY ANNUAL AUDIT DATE CHANGE**

22 **SECTION 3.** G.S. 136-89.193(b) reads as rewritten:

23 "(b) Annual Reports. – The Authority shall, promptly following the close of each fiscal
24 year, submit an annual report of its activities for the preceding fiscal year and an annual audit
25 of its books and accounts for the preceding fiscal year to the Governor, the General Assembly,
26 and the Department of Transportation. ~~Each report shall be accompanied by an audit of its~~
27 ~~books and accounts.~~ The report and audit shall be submitted no later than October 31 of the
28 fiscal year in which the report and audit are completed."

29 30 **REPEAL REPORT/RIGHT TURN ON RED**

31 **SECTION 4.** G.S. 20-158(b)(2)d. is repealed.

32 33 **DRIVERS LICENSE MATERIAL TECHNICAL STANDARD**

34 **SECTION 5.** G.S. 20-7(n) reads as rewritten:

35 "(n) Format. – A drivers license issued by the Division must be tamperproof and must
36 contain all of the following information:

- 37 (1) An identification of this State as the issuer of the license.
- 38 (2) The license holder's full name.
- 39 (3) The license holder's residence address.
- 40 (4) ~~A color photograph, or a properly applied laser engraved picture on~~
41 ~~polycarbonate material, of the license holder, taken by the Division.~~ A color
42 photograph of the license holder applied to material that is measured by the
43 industry standard of security and durability and is resistant to tampering and
44 reproduction.
- 45 (5) A physical description of the license holder, including sex, height, eye color,
46 and hair color.
- 47 (6) The license holder's date of birth.
- 48 (7) An identifying number for the license holder assigned by the Division. The
49 identifying number may not be the license holder's social security number.
- 50 (8) Each class of motor vehicle the license holder is authorized to drive and any
51 endorsements or restrictions that apply.

1 (9) The license holder's signature.

2 (10) The date the license was issued and the date the license expires.

3 The Commissioner shall ensure that applicants 21 years old or older are issued drivers
4 licenses and special identification cards that are printed in a horizontal format. The
5 Commissioner shall ensure that applicants under the age of 21 are issued drivers licenses and
6 special identification cards that are printed in a vertical format, that distinguishes them from the
7 horizontal format, for ease of identification of individuals under age 21 by members of
8 industries that regulate controlled products that are sale restricted by age and law enforcement
9 officers enforcing these laws.

10 At the request of an applicant for a drivers license, a license issued to the applicant must
11 contain the applicant's race."

12 13 **ALTERNATE CRITERIA FOR EMERGENCY REPAIR UNDER STRATEGIC** 14 **TRANSPORTATION INVESTMENTS ACT**

15 **SECTION 6.** G.S. 136-189.11 is amended by adding a new subsection to read:

16 "(c1) Emergency Funds With Alternative Criteria. – The following funds, obligated in
17 support of emergency repair work necessary to restore essential travel, minimize the extent of
18 damage, or protect remaining facilities, as a result of events that occurred during a federal- or
19 State-declared emergency that significantly damaged the State-maintained transportation
20 system to the extent that safe passage is jeopardized, shall be subject to subsection (d) of this
21 section but shall not be subject to the prioritization criteria set forth in that subsection:

22 (1) Federal or State funds obligated for repairs for which federal Emergency
23 Relief Funds are available pursuant to 23 U.S.C. § 125.

24 (2) State funds obligated for repairs to damage occurring as a result of an event
25 that is lawfully declared to be a federal or State emergency."

26 27 **DOT PARTNERSHIP WITH PRIVATE DEVELOPERS**

28 **SECTION 7.** Section 2 of S.L. 2009-235 reads as rewritten:

29 "**SECTION 2.** This act is effective when it becomes law. This act shall expire on ~~December~~
30 ~~31, 2011.~~December 31, 2016."

31 32 **EXCLUDE FEDERAL LANDS ACCESS FUNDS**

33 **SECTION 8.** G.S. 136-189.11(b) reads as rewritten:

34 "(b) Funds Excluded From Formula. – The following funds are not subject to this
35 section:

36 (1) Federal congestion mitigation and air quality improvement program funds
37 appropriated to the State by the United States pursuant to 23 U.S.C. §
38 104(b)(2) and 23 U.S.C. § 149.

39 (2) Funds received through competitive awards or discretionary grants through
40 federal appropriations either for local governments, transportation
41 authorities, transit authorities, or the Department.

42 (3) Funds received from the federal government that under federal law may only
43 be used for Appalachian Development Highway System projects.

44 (4) Funds used in repayment of "GARVEE" bonds related to Phase I of the
45 Yadkin River Veterans Memorial Bridge project.

46 (5) Funds committed to gap funding for toll roads funded with bonds issued
47 pursuant to G.S. 136-176.

48 (6) Funds obligated for projects in the State Transportation Improvement
49 Program that are scheduled for construction as of October 1, 2013, in State
50 fiscal year 2012-2013, 2013-2014, or 2014-2015.

- 1 (7) Toll collections from a turnpike project under Article 6H of this Chapter and
2 other revenue from the sale of the Authority's bonds or notes or project
3 loans, in accordance with G.S. 136-89.192.
- 4 (8) Toll collections from the State-maintained ferry system collected under the
5 authority of G.S. 136-82.
- 6 (9) Federal State Planning and Research Program funds (23 U.S.C. § 505) and
7 Metropolitan Planning funds (23 U.S.C. §§ 104 and 134).
- 8 (10) Federal Lands Access Program funds received by the State pursuant to 23
9 U.S.C. § 204."

11 UPDATE FIXED GUIDEWAY SYSTEM SAFETY OVERSIGHT

12 SECTION 9. G.S. 136-18(36) reads as rewritten:

- 13 "(36) The Department shall have the following powers related to fixed guideway
14 public transportation system safety:
- 15 a. To oversee the safety of fixed guideway ~~transit~~ public transportation
16 systems in the State not regulated by the Federal Railroad
17 Administration, pursuant to the ~~Intermodal Surface Transportation~~
18 Efficiency Act of 1991 (49 U.S.C. § 5330). 49 U.S.C. § 5329 and 49
19 U.S.C. § 5330 and any reauthorizations of or amendments to those
20 sections. The Department shall adopt rules in conformance with 49
21 U.S.C. § 5329 and 49 U.S.C. § 5330 concerning its oversight of the
22 safety of fixed guideway ~~transit~~ public transportation systems.
- 23 b. The Department shall examine and inspect the condition of each rail
24 fixed guideway public transportation system and its equipment and
25 facilities for the purpose of ensuring the safety and convenience of
26 the public and the rail fixed guideway public transportation system's
27 employees. If the Department finds any equipment or facilities to be
28 unsafe, it shall at once notify the rail fixed guideway public
29 transportation system and require the rail fixed guideway public
30 transportation system to repair the equipment or facilities.
- 31 c. The Department may conduct, in a manner consistent with federal
32 law, a program of accident prevention and public safety covering all
33 rail fixed guideway public transportation systems and may
34 investigate the cause of any rail fixed guideway public transportation
35 system accident. In order to facilitate this program, any rail fixed
36 guideway public transportation system involved in an accident
37 meeting the reporting thresholds defined by the Department shall
38 report the accident to the Department.
- 39 d. The Department shall review, approve, oversee, and enforce each rail
40 fixed guideway public transportation system's implementation of the
41 public transportation system safety plan required pursuant to 49
42 U.S.C. § 5329(d).
- 43 e. The Department shall audit, at least once triennially, each rail fixed
44 guideway public transportation system's compliance with the public
45 transportation agency safety plan required pursuant to 49 U.S.C. §
46 5329(d).
- 47 f. The Department shall provide, at least once annually, a status report
48 on the safety of the rail fixed guideway public transportation systems
49 overseen by the Department to the Federal Transit Administration,
50 the Governor, and the Board of Directors, or equivalent entity, of any

1 rail fixed guideway public transportation system the Department
2 oversees.

3 g. The Department shall not receive funding for the activities
4 authorized by sub-subdivisions a. through f. of this subdivision from
5 any rail fixed guideway public transportation systems subject to the
6 Department's authority pursuant to the provisions of sub-subdivisions
7 a. through f. of this subdivision."
8

9 RAMP METER AUTHORIZED/PENALTY

10 **SECTION 10.(a)** G.S. 20-4.01 is amended by adding a new subdivision to read:

11 "(32a) Ramp Meter. – A traffic control device that consists of a circular red and
12 circular green display placed at a point along an interchange entrance ramp."

13 **SECTION 10.(b)** G.S. 20-158(c) is amended by adding a new subdivision to read:

14 "(6) When a ramp meter is displaying a circular red display, vehicles facing the
15 red light must stop. When a ramp meter is displaying a circular green
16 display, a vehicle may proceed for each lane of traffic facing the meter.
17 When the display is dark or not emitting a red or green display, a vehicle
18 may proceed without stopping. A violation of this subdivision is an
19 infraction. No drivers license points or insurance surcharge shall be assessed
20 as a result of a violation of this subdivision."

21 **SECTION 10.(c)** G.S. 20-4.01(32a) reads as rewritten:

22 "(32a)(32b) Recreational Vehicle. – A vehicular type unit primarily designed
23 as temporary living quarters for recreational, camping, or travel use that
24 either has its own motive power or is mounted on, or towed by, another
25 vehicle. The basic entities are camping trailer, fifth-wheel travel trailer,
26 motor home, travel trailer, and truck camper.
27"

28 **SECTION 10.(d)** G.S. 20-4.01(32b) reads as rewritten:

29 "(32b)(32c) Regular Drivers License. – A license to drive a commercial
30 motor vehicle that is exempt from the commercial drivers license
31 requirements or a noncommercial motor vehicle."

32 **SECTION 10.(e)** G.S. 20-305(6)d.1.I. reads as rewritten:

33 "I. Each new and unsold motor vehicle within the new
34 motor vehicle dealer's inventory that has been
35 acquired within 24 months of the effective date of the
36 termination from the manufacturer or distributor or
37 another same line-make dealer in the ordinary course
38 of business, and which has not been substantially
39 altered or damaged to the prejudice of the
40 manufacturer or distributor while in the new motor
41 vehicle dealer's possession, and which has been driven
42 less than 1,000 miles or, for purposes of a recreational
43 vehicle motor home as defined in G.S. 20-4.01(32a)a.,
44 G.S. 20-4.01(32b)a., less than 1,500 miles following
45 the original date of delivery to the dealer, and for
46 which no certificate of title has been issued. For
47 purposes of this sub-subdivision, the term "ordinary
48 course of business" shall include inventory transfers
49 of all new, same line-make vehicles between affiliated
50 dealerships, or otherwise between dealerships having
51 common or interrelated ownership, provided that the

transfer is not intended solely for the purpose of benefiting from the termination assistance described in this sub-subdivision."

SECTION 10.(f) G.S. 20-305(6)f. reads as rewritten:

"f. The provisions of sub-subdivision e. above shall not be applicable when the termination, nonrenewal, or cancellation of the franchise agreement by a new motor vehicle dealer is the result of the sale of assets or stock of the motor vehicle dealership. The provisions of sub-subdivisions d. and e. above shall not be applicable when the termination, nonrenewal, or cancellation of the franchise agreement is at the initiation of a new motor vehicle dealer of recreational vehicle motor homes, as defined in ~~G.S. 20-4.01(32a)a.,~~ G.S. 20-4.01(32b)a., provided that at the time of the termination, nonrenewal, or cancellation, the recreational vehicle manufacturer or distributor has paid to the dealer all claims for warranty or recall work, including payments for labor, parts, and other expenses, which were submitted by the dealer 30 days or more prior to the date of termination, nonrenewal, or cancellation."

CLARIFY FERRY RECEIPT GENERATING ACTIVITIES

SECTION 11.(a) G.S. 136-82(f) reads as rewritten:

"§ 136-82. Department of Transportation to establish and maintain ferries.

...

(f) Authority to Generate Certain Receipts. – The Department of Transportation, notwithstanding any other provision of law, may operate or contract for the following receipt-generating activities and use the proceeds for ferry passenger vessel replacement projects in the manner set forth in subsection ~~(e)~~(d) of this section:

- (1) Operation of, concessions on the ferries and at ferry facilities to provide to passengers on the ferries food, drink, and other refreshments, personal comfort items, Internet access, and souvenirs publicizing the ferry system.
- (2) ~~The Sponsorships, including, but not limited to, the sale of naming rights to any ferry vessel, ferry route, or ferry facility.~~
- (3) Advertising on or within any ferry vessel, including vessel or at any ferry facility, including, but not limited to, display advertising and advertising delivered to passengers through the use of video monitors, public address systems installed in passenger areas, and other electronic media.
- (4) Any other receipt-generating activity not otherwise forbidden by applicable law pertaining to public health or safety.

The Department may issue rules to implement this subsection.

...."

SECTION 11.(b) G.S. 66-58(c) is amended by adding a new subdivision to read:

"(21) Any activity conducted by the Department of Transportation that is authorized by G.S. 136-82(f)."

MPO/RPO ETHICS FINES

SECTION 12.(a) G.S. 136-200.2 reads as rewritten:

"...

(g) Ethics Provisions. – All individuals with voting authority serving on a metropolitan planning organization who are not members of the Board of Transportation shall do all of the following:

...

(4) File, with and in the same manner as the statement of economic interest filed under subdivision (3) of this subsection, an additional disclosure of a list of all real estate owned wholly or in part by the MPO member, the MPO member's extended family, or a business with which the MPO member is associated within the jurisdiction of the MPO on which the MPO member is serving. All additional disclosures of real estate filed by MPO members are public records under Chapter 132 of the General Statutes. The penalties for failure to file shall be as set forth in G.S. 138A-25(d).

...
(j) Violations. – A violation of subdivision (1) of subsection (g) of this section shall be a Class 1 misdemeanor. An MPO member who knowingly conceals or knowingly fails to disclose information that is required to be disclosed on a required filing under subdivisions (3) or (4) of subsection (g) of this section shall be guilty of a Class 1 misdemeanor. An MPO member who provides false information on a required filing under subdivisions (3) or (4) of subsection (g) of this section knowing that the information is false is guilty of a Class H felony. If the State Ethics Commission receives written allegations of violations of this section, the Commission shall report such violations to the Attorney General for investigation and referral to the District Attorney for possible prosecution. All written allegations or related documents are confidential and are not matters of public record.

SECTION 12.(b) G.S. 136-211 reads as rewritten:

...
(f) Ethics Provisions. – All individuals with voting authority serving on a rural transportation planning organization who are not members of the Board of Transportation shall do all of the following:

...
(4) File, with and in the same manner as the statement of economic interest filed under subdivision (3) of this subsection, an additional disclosure of a list of all real estate owned wholly or in part by the rural transportation planning organization member, the rural transportation planning organization member's extended family, or a business with which the rural transportation planning organization member is associated within the jurisdiction of the rural transportation planning organization on which the rural transportation planning organization member is serving. All additional disclosures of real estate filed by members are public records under Chapter 132 of the General Statutes. The penalties for failure to file shall be as set forth in G.S. 138A-25(d).

...
(j) Violations. – A violation of subdivision (1) of subsection (f) of this section shall be a Class 1 misdemeanor. A rural transportation planning organization member who knowingly conceals or knowingly fails to disclose information that is required to be disclosed on a required filing under subdivisions (3) or (4) of subsection (f) of this section shall be guilty of a Class 1 misdemeanor. A rural transportation planning organization member who provides false information on a required filing under subdivisions (3) or (4) of subsection (f) of this section knowing that the information is false is guilty of a Class H felony. If the State Ethics Commission receives written allegations of violations of this section, the Commission shall report such violations to the Attorney General for investigation and referral to the District Attorney for possible prosecution. All written allegations or related documents are confidential and are not matters of public record.

1 **SECTION 12.(c)** G.S. 138A-25 is amended by adding the following new
2 subsections to read:

3 "(d) Within 30 days after the date due under G.S. 138A-22, the Commission shall notify
4 persons who are required to file a Statement of Economic Interest under G.S. 136-200.2(g)(3)
5 or G.S. 136-211(f)(3) of a failure to file the Statement of Economic Interest or the filing of an
6 incomplete Statement of Economic Interest. The Commission shall notify the filing person that
7 if the Statement of Economic Interest is not filed or completed within 30 days of receipt of the
8 notice of failure to file or complete, the filing person shall be fined and referred for prosecution
9 after an additional 30 days, as provided for in this section.

10 (1) Any filing person who fails to file a Statement of Economic Interest under
11 G.S. 136-200.2(g)(3) or G.S. 136-211(f)(3) within 30 days of the receipt of
12 the notice required under this section shall be fined two hundred fifty dollars
13 (\$250.00) by the Commission for not filing or filing an incomplete
14 Statement of Economic Interest, except in extenuating circumstances as
15 determined by the Commission.

16 (2) Failure by any filing person to file or complete the Statement of Economic
17 Interest within 60 days of the receipt of the notice required under this
18 subsection shall be a Class 1 misdemeanor. The Commission shall report
19 such failure to the Attorney General for investigation and referral to the
20 District Attorney for possible prosecution, unless the Commission
21 determines extenuating circumstances exist.

22 (e) Within 30 days after the date due under G.S. 138A-22, the Commission shall notify
23 persons who are required to file an additional disclosure under G.S. 136-200.2(g)(4) or
24 G.S. 136-211(f)(4) of a failure to file the additional disclosure or the filing of an incomplete
25 additional disclosure. The Commission shall notify the filing person that if the additional
26 disclosure is not filed or completed within 30 days of receipt of the notice of failure to file or
27 complete, the filing person shall be fined and referred for prosecution after an additional 30
28 days, as provided for in this section.

29 (1) Any filing person who fails to file or who files an incomplete additional
30 disclosure within 30 days of the receipt of the notice required under this
31 section shall be fined two hundred fifty dollars (\$250.00) for not filing or
32 filing an incomplete additional disclosure, except in extenuating
33 circumstances as determined by the Commission.

34 (2) Failure by any filing person to file or complete the additional disclosure
35 within 60 days of the receipt of the notice required under this subsection
36 shall be a Class 1 misdemeanor. The Commission shall report such failure to
37 the Attorney General for investigation and referral to the District Attorney
38 for possible prosecution, unless the Commission determines extenuating
39 circumstances exist."

41 **DOT SPONSORSHIPS AUTHORIZED**

42 **SECTION 13.** G.S. 136-18 is amended by adding a new subdivision to read:

43 "(44) The Department is authorized to contract for sponsorship arrangements for
44 Department operations and may solicit contracts for such arrangements
45 pursuant to Article 2 of this Chapter. All amounts collected and all savings
46 realized as a result of these sponsorship arrangements shall be used by the
47 Department toward funding of maintenance activities."

49 **EFFECTIVE DATE**

50 **SECTION 14.** Section 1 of this act becomes effective October 1, 2014. Section 10
51 of this act becomes effective December 1, 2014, and applies to offenses committed on or after

1 that date. Section 12 of this act becomes effective October 1, 2014, and applies to obligations to
2 file additional disclosures arising on or after that date. The remaining sections of this act are
3 effective when they become law.