

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003

SESSION LAW 2004-72  
HOUSE BILL 257

AN ACT TO PROHIBIT THE USE OF CITIZENS BAND RADIO EQUIPMENT  
NOT AUTHORIZED BY THE FEDERAL COMMUNICATIONS COMMISSION.

The General Assembly of North Carolina enacts:

**SECTION 1.** Article 15 of Chapter 62 of the General Statutes is amended by adding a new section to read:

**"§ 62-328. Unauthorized use of Citizens Band equipment.**

(a) As used in this section, 'Citizens Band radio equipment' means Citizens Band radio equipment authorized by the Federal Communications Commission.

(b) It shall be unlawful for any person willfully and knowingly to use Citizens Band radio equipment not authorized by the Federal Communications Commission. Unauthorized Citizens Band radio equipment includes the use of power amplifiers or equipment prohibited under applicable federal regulations.

(c) This section does not apply to any licensee that is exempted under the provisions of 47 U.S.C. § 302a(f)(2).

(d) Any person willfully and knowingly violating the provisions of this section shall be guilty of a Class 3 misdemeanor."

**SECTION 2.** This act becomes effective December 1, 2004, and applies to offenses committed on or after that date.

In the General Assembly read three times and ratified this the 28<sup>th</sup> day of June, 2004.

s/ Beverly E. Perdue  
President of the Senate

s/ Richard T. Morgan  
Speaker of the House of Representatives

s/ Michael F. Easley  
Governor

Approved 4:06 p.m. this 8<sup>th</sup> day of July, 2004