

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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HOUSE BILL 1827*
Committee Substitute Favorable 5/30/06
Committee Substitute #2 Favorable 6/21/06
Committee Substitute #3 Favorable 7/13/06

Short Title: General Contractor License Exceptions. (Public)

Sponsors:

Referred to:

May 10, 2006

A BILL TO BE ENTITLED

AN ACT TO EXEMPT CERTAIN DEPARTMENT OF TRANSPORTATION CONTRACTORS FROM THE REQUIREMENT FOR A GENERAL CONTRACTOR'S LICENSE, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, AND TO CLARIFY A GENERAL CONTRACTING EXCEPTION.

The General Assembly of North Carolina enacts:

SECTION 1. Chapter 136 of the General Statutes is amended by adding a new section to read:

"§ 136-28.14. Project contractor licensing requirements.

The letting of contracts under this Chapter for the following types of projects shall not be subject to the licensing requirements of Article 1 of Chapter 87 of the General Statutes:

- (1) Routine maintenance and minor repair of pavements, bridges, roadside vegetation and plantings, drainage systems, concrete sidewalks, curbs, gutters, and rest areas.
- (2) Installation and maintenance of pavement markings and markers, ground mounted signs, guardrail, fencing, and roadside vegetation and plantings."

SECTION 2. Chapter 87 of the General Statutes is amended by adding a new section to read:

"§ 87-1.2. Exception for specified Department of Transportation contractors.

The letting of contracts for the types of projects specified in G.S. 136-28.14 shall not be subject to the licensing requirement of this Article."

SECTION 3. G.S. 87-1.1 reads as rewritten:

"§ 87-1.1. Exception for licensees under Article 2 or 4.

1 G.S. 87-1 shall not apply to a licensee under Article 2 or 4 of this Chapter of the
2 ~~General Statutes~~ Statutes, G.S. 87-43 shall not apply to a licensee under Article 2 of this
3 Chapter of the General Statutes, and G.S. 87-21(a)(5) shall not apply to a licensee under
4 Article 4 of this Chapter of the General Statutes when the licensee is bidding and
5 contracting directly with the owner of a public building project if: (i) a licensed general
6 contractor performs all work that falls within the classifications in G.S. 87-10(b) and the
7 State Licensing Board of General Contractor's rules; and (ii) the total amount of the
8 general contracting work so classified does not exceed a percentage of the total bid price
9 pursuant to rules established by the ~~Board~~ Board; and (iii) a licensee with the
10 appropriate license under Article 2 or Article 4 of this Chapter performs all work that
11 falls within the classifications in Article 2 and Article 4 of this Chapter."
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SECTION 4. This act is effective when it becomes law.