

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

H

1

HOUSE BILL 1050

Short Title: DOT/No Discrimination Against Motorcyclists. (Public)

Sponsors: Representative Torbett.

*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

Referred to: Transportation, if favorable, Appropriations

May 10, 2016

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROHIBIT THE DEPARTMENT OF TRANSPORTATION FROM  
3 DISCRIMINATING AGAINST MOTORCYCLISTS WHEN TAKING CERTAIN  
4 ACTIONS.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** Article 2 of Chapter 136 of the General Statutes is amended by adding a  
7 new section to read:

8 "**§ 136-18.06. Discrimination against motorcyclists prohibited.**

9 (a) Definitions. – The following definitions apply in this section:

10 (1) Action. – Formulating transportation policy, adopting rules, allocating funds,  
11 and planning, designing, constructing, equipping, operating, and maintaining  
12 transportation facilities.

13 (2) Discriminates. – Includes any action that prohibits or imposes a requirement  
14 that applies only to a motorcyclist, and the principal purpose of the action is to  
15 restrict or inhibit the access of a motorcyclist to any highway, bridge, tunnel, or  
16 other transportation facility.

17 (3) Motorcyclist. – A person operating or riding a motorcycle.

18 (b) Discrimination Prohibited. – The Department of Transportation is prohibited from  
19 taking any action that discriminates, or has the effect of discriminating, against a motorcyclist.

20 (c) Parking. – The Department, and any other owner or operator of a transportation facility  
21 funded in whole or in part by State or local funds, shall make reasonable accommodations for  
22 motorcycle parking at transportation facilities. The term "reasonable accommodations" includes  
23 sectioning portions of an existing parking space where the size configuration of the parking space  
24 does not meet building code requirements for full-size motor vehicles. Nothing in this subsection  
25 shall be construed as requiring the structural or technological modification of parking structures  
26 constructed or substantially completed on or before July 1, 2016.

27 (d) Construction. – Nothing in this section shall be construed as altering or superseding  
28 any State or federal law that prohibits or imposes a requirement, or has the effect of prohibiting or  
29 imposing a requirement, that applies only to a motorcyclist."

30 **SECTION 2.** There is appropriated from the Highway Fund to the Department of  
31 Transportation the sum of ten thousand dollars (\$10,000) in nonrecurring funds for the 2016-2017  
32 fiscal year to be used to fund costs incurred by the Department in implementing this act.

33 **SECTION 3.** This act becomes effective July 1, 2016.

