A BILL TO BE ENTITLED
AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE CITIZENS OF NORTH CAROLINA.
The General Assembly of North Carolina enacts:

PART I. STATE AND LOCAL GOVERNMENT REGULATION

INCREASE LIMITS ON PUBLIC EMPLOYEES BENEFITTING FROM PUBLIC CONTRACTS

SECTION 1.(a) G.S. 14-234 reads as rewritten:
"§ 14-234. Public officers or employees benefiting from public contracts; exceptions.

... (d1) Subdivision (a)(1) of this section does not apply to (i) any elected official or person appointed to fill an elective office of a village, town, or city having a population of no more than 15,000 according to the most recent official federal census, (ii) any elected official or person appointed to fill an elective office of a county within which there is located no village, town, or city with a population of more than 15,000 according to the most recent official federal census, (iii) any elected official or person appointed to fill an elective office on a city board of education in a city having a population of no more than 15,000 according to the most recent official federal census, (iv) any elected official or person appointed to fill an elective office as a member of a county board of education in a county within which there is located no village, town or city with a population of more than 15,000 according to the most recent official federal census, (v) any physician, pharmacist, dentist, optometrist, veterinarian, or nurse appointed to a county social services board, local health board, or area mental health, developmental disabilities, and substance abuse board serving one or more counties within which there is located no village, town, or city with a population of more than 15,000 according to the most recent official federal census, and (vi) any member of the board of directors of a public hospital if all of the following apply:

(1) The undertaking or contract or series of undertakings or contracts between the village, town, city, county, county social services board, county or city board of education, local health board or area mental health, developmental disabilities, and substance abuse board, or public hospital and one of its
officials is approved by specific resolution of the governing body adopted in
an open and public meeting, and recorded in its minutes and the amount does
not exceed twenty thousand dollars ($20,000) for medically related services
and forty thousand dollars ($40,000) sixty thousand dollars ($60,000) for
other goods or services within a 12-month period.

(2) The official entering into the contract with the unit or agency does not
participate in any way or vote.

(3) The total annual amount of contracts with each official, shall be specifically
noted in the audited annual financial statement of the village, town, city, or
county.

(4) The governing board of any village, town, city, county, county social services
board, county or city board of education, local health board, area mental
health, developmental disabilities, and substance abuse board, or public
hospital which contracts with any of the officials of their governmental unit
shall post in a conspicuous place in its village, town, or city hall, or
courthouse, as the case may be, a list of all such officials with whom such
contracts have been made, briefly describing the subject matter of the
undertakings or contracts and showing their total amounts; this list shall cover
the preceding 12 months and shall be brought up-to-date at least quarterly.

"...

SECTION 1.(b) This section is effective when it becomes law and applies to
contracts executed on or after that date.

AMENDMENTS TO THE 2018 NORTH CAROLINA BUILDING CODE AND
PLUMBING CODE

SECTION 2.(a) Definitions. – As used in this section, "Council" means the Building
Code Council, "Building Code" means the 2018 North Carolina Building Code as adopted by the
Council, and "Plumbing Code" means the 2018 North Carolina Plumbing Code as adopted by
the Council.

SECTION 2.(b) Section 2902.6 of the Building Code and Table 403.1 of the
Plumbing Code. – Until the effective date of the revised permanent rules that the Building Code
Council is required to adopt pursuant to subsection (d) of this section, the Council shall
implement the applicable requirements of Section 2902.6 of the Building Code and Table 403.1
of the Plumbing Code, as provided in subsection (c) of this section.

SECTION 2.(c) Implementation. – The Council shall (i) not require drinking
fountains for an occupant load of 30 or fewer, (ii) only require one water closet for business
occupancies with an occupant load of 30 or fewer, and (iii) not require a service sink for business
and mercantile occupancies with an occupant load of 30 or fewer.

SECTION 2.(d) Additional Rule-Making Authority. – The Council shall adopt rules
to amend Section 2902.6 of the Building Code and Table 403.1 of the Plumbing Code consistent
with subsection (c) of this section. Notwithstanding G.S. 150B-19(4), the rules adopted by the
Council, pursuant to this section, shall be substantively identical to the provisions of subsection
(c) of this section. Rules adopted pursuant to this section are not subject to Part 3 of Article 2A
of Chapter 150B of the General Statutes. Rules adopted pursuant to this section shall become
effective as provided in G.S. 150B-21.3(b1) as though 10 or more written objections had been
received as provided by G.S. 150B-21.3(b2).

SECTION 2.(e) Sunset. – This section expires when permanent rules adopted as
required by subsection (d) of this section become effective.

BUILDING CODE WASTE ACCUMULATION PROVISIONS
SECTION 3.(a) Definitions. – As used in this act, "Council" means the Building Code Council, "Code" means the 2018 North Carolina Fire Prevention Code (NCFPC) as adopted by the Council, and "exit obstruction and waste accumulation provisions" means sections 1031.2 (Reliability), 1031.3 (Obstructions), 304.1 (Waste Accumulation Prohibited), and 304.2 (Storage) of the Code.

SECTION 3.(b) New Code Amendment. – Until the effective date of revised permanent rules the Council is required to adopt pursuant to subsection (d) of this section, the Council and local governments enforcing the Code shall follow the provisions of subsection (c) of this section with respect to exit obstruction and waste accumulation.

SECTION 3.(c) Implementation. – Notwithstanding any provision of the Code to the contrary, code enforcement authorities with jurisdiction over apartment occupancies shall permit doorstep refuse and recycling collection containers which stand upright on their own and do not leak liquids when standing upright in exit access corridors as follows:

(1) With respect to apartment occupancies, when all of the following conditions exist:
   a. The maximum doorstep refuse and recycling collection container size does not exceed 15 gallons and the number of containers does not exceed one refuse and one recycling collection container for a total of two containers per dwelling unit.
   b. Waste in a doorstep refuse and recycling collection container is not placed in the exit access corridors for single periods exceeding five hours.
   c. Doorstep refuse and recycling collection containers do not occupy the exit access corridors for single periods exceeding 12 hours.
   d. Doorstep refuse and recycling collection containers do not reduce the means of egress width below that required under sections 1005 and 1020.2 of the Code.
   e. Management staff of the apartment occupancy have written policies and procedures in place and enforce them to ensure compliance with this subdivision, and, upon request, provide a copy of such policies and procedures to the code enforcement authority having jurisdiction.

(2) The code enforcement authority having jurisdiction may approve alternative containers and storage arrangements that are demonstrated to provide an equivalent level of safety to that provided under subdivision (1) of this section.

(3) To provide a transition period for compliance with the requirements of this section, code enforcement authorities having jurisdiction shall allow apartment occupancies a phase-in period until December 31, 2020, to comply with this subsection.

(4) The use of doorstep refuse and recycling collection containers in apartment occupancies with exit access corridors or open-air corridors with balconies served by exterior exit stairs is revocable by the fire code enforcement official having jurisdiction for violations of sub-subdivision (c)(1)e. of this section.

SECTION 3.(d) Rule-Making Authority. – Notwithstanding G.S. 150B-19(4), the Council shall revise the exit obstruction and waste accumulation provisions of the NCFPC in a manner similar to the provisions of subsection (c) of this section.

SECTION 3.(e) Sunset. – Subsection (c) of this section expires on the date that permanent rules adopted pursuant to subsection (d) of this section become effective. The Council may adopt temporary rules to implement this act.

SECTION 3.(f) Effective Date. – This section becomes effective July 1, 2019.
MODIFY REAL ESTATE LICENSING REQUIREMENTS FOR TIME SHARE SALESPEOPLE

SECTION 4. G.S. 93A-40(a) reads as rewritten:

"(a) It shall be unlawful for any person in this State to engage or assume to engage in the business of a time share salesperson without first obtaining a real estate broker license issued by the North Carolina Real Estate Commission under the provisions of Article 1 of this Chapter, and it shall be unlawful for a time share developer or time share salesperson to sell or offer to sell a time share located in this State without the time share developer first obtaining a certificate of registration for the time share project to be offered for sale issued by the North Carolina Real Estate Commission under the provisions of this Article. A time share salesperson shall be a licensed real estate broker subject to the provisions of this Chapter unless the time share salesperson meets the requirement for exemption set forth in G.S. 93A-2(c)(1) or is an employee of the registered time share developer, and their income is reported on IRS Form W-2 of the registered time share developer."

STUDY ONLINE CONTINUING EDUCATION REQUIREMENTS

SECTION 5.(a) Every occupational licensing board as defined in Chapter 93B of the General Statutes shall study and report on any available options offered for online continuing education if continuing education is a requirement for licensure under the occupational licensing board's applicable laws or regulations. The study and report shall include:

(1) A list and description of every option for continuing education made available to each licensee, including every traditional method, and every online method, if any are offered. If no online methods are offered, a detailed explanation as to why none are offered, which shall include any logistical, cost, legal, or other concerns.

(2) The approximate number of offerings made available for each method and the cost associated with each offering. The cost shall include a description of the fees charged to the licensee for the continuing education and the associated cost to the occupational licensing board for providing the continuing education offering.

(3) A description of how each method of continuing education offered is accessed by the licensee.

SECTION 5.(b) Each occupational licensing board required to study and report under subsection (a) of this section shall provide its report to the Joint Legislative Administrative Procedure Oversight Committee and the Program Evaluation Division no later than December 1, 2019.

EXEMPT ONSLOW COUNTY FROM VEHICLE EMISSIONS TESTING

SECTION 6.(a) G.S. 143-215.107A(c) reads as rewritten:

"(c) Counties Covered.—Motor vehicle emissions inspections shall be performed in the following counties: Alamance, Buncombe, Cabarrus, Cumberland, Davidson, Durham, Forsyth, Franklin, Gaston, Guilford, Iredell, Johnston, Lee, Lincoln, Mecklenburg, New Hanover, Onslow, Randolph, Rockingham, Rowan, Union, and Wake."
(2) The first day of a month that is 60 days after the Secretary of the Department of Environmental Quality certifies to the Revisor of Statutes that the United States Environmental Protection Agency has approved an amendment to the North Carolina State Implementation Plan submitted as required by Section 2 of this act. The Secretary shall provide this notice along with the effective date of this act on its Web site and by written or electronic notice to emissions inspection mechanic license holders, emissions inspection station licensees, and self-inspector licensees in the county where motor vehicle emissions inspection requirements are removed by this act.

SECTION 6.(d) Except as otherwise provided, this section is effective when it becomes law.

ADOPT 2017 FOOD CODE

SECTION 7. Notwithstanding G.S. 150B-19(4), the Commission for Public Health may adopt rules to incorporate all or part of the 2017 edition of the United States Food and Drug Administration Food Code.

TEMPORARY EVENT VENUES

SECTION 8.(a) Part 3 of Article 18 of Chapter 153A of the General Statutes is amended by adding a new section to read:

"§ 153A-341.4 Temporary event venues authorized.

A county may, by ordinance, establish a process to permit temporary event venues using the procedure prescribed in G.S. 160A-383.6."

SECTION 8.(b) Part 3 of Article 19 of Chapter 160A of the General Statutes is amended by adding a new section to read:


(a) A city may, by ordinance, establish a process to permit temporary event venues as provided in this section. A temporary event venue shall be defined as an existing publicly or privately owned building or structure suitable for use as a site for public or private events relating to entertainment, education, marketing, meetings, sales, trade shows, and any other activities or occasions that the city may, by ordinance, authorize. A temporary event shall be one lasting no longer than 72 hours each.

(b) A city may consider a temporary event venue as a permitted accessory use in any of its zoning districts. Enactment of a temporary event venue ordinance and issuance of a temporary event permit under this section shall not be considered a zoning map amendment under this Article.

(c) Only one temporary event venue shall be allowed on a lot or parcel of land. The temporary event venue permitted under this section shall not require a special use permit or be subjected to any other local zoning requirements beyond those imposed upon other authorized accessory use structures, except as otherwise provided in this section. Except as provided in subsection (h) of this section, for each temporary event venue issued a permit under this section, no more than 24 temporary events may be conducted in a calendar year.

(d) An ordinance authorizing temporary event venues shall set forth the following:

(1) The zoning districts within which a temporary event venue may lie.

(2) The process by which a person seeking a temporary event venue permit, or its renewal, must utilize.

(3) The specific criteria to be considered by the city when determining whether to issue a temporary event venue permit. The criteria shall include the character of the district in which the permit is sought and the site’s suitability for use as a temporary event venue.
(4) The temporary events, not inconsistent with subsection (a) of this section, authorized in the venue.

(5) The duration of the temporary event venue permit.

(6) Any capacity limitations of the temporary event venue.

(7) The fee structure for the fees authorized by this section.

(8) Any other relevant matters.

(e) Any person proposing to operate a temporary event venue shall first obtain a permit from the city. The issuance of a temporary event venue permit shall not be considered a quasi-judicial act. The city may charge a fee of up to one hundred dollars ($100.00) for the initial permit and an annual renewal fee of up to fifty dollars ($50.00). Before issuing or renewing a temporary event venue permit, a city shall conduct an inspection of the proposed temporary event venue to ensure that the health, safety, and welfare of the public will not be impaired by attendance at or participation in a temporary event. The inspection shall address the general structural stability of the temporary event venue, its fire safety, and whether it has sufficient toilet facilities taking into consideration its capacity.

(f) Subject to the provisions of this subsection, a city may require the permit applicant to take reasonable measures to address any safety or public health concerns raised by the inspection conducted under subsection (e) of this section. No permit shall be required under the North Carolina State Building Code or any local variant approved under G.S. 143-138(e) for any construction, installation, repair, replacement, or alteration of a temporary event venue either required by the city as a result of the inspection conducted under subsection (e) of this section or undertaken by the permittee to otherwise improve the temporary event venue. A city may require use of temporary toilet facilities at temporary events. Nothing in this section shall be construed to exempt a temporary event venue from compliance with federal law, rules, or regulations.

(g) The Building Code Council shall create an inspection checklist that may be used by counties and cities for inspections conducted under subsection (e) of this section. Nothing shall prohibit counties and cities from conducting inspections and issuing temporary event venue permits prior to promulgation by the Building Code Council of the checklist.

(h) Nothing shall preclude a permittee operating under a temporary event venue permit from seeking a rezoning of the parcel to a zoning district that would allow a permitted use of the venue for events of the type authorized by a temporary event permit. Any such rezoning application would be subject to the requirements of this Article. If a rezoning application is submitted in good faith, a city may authorize the temporary event venue to hold more than 24 temporary events in one calendar year while the rezoning is pending. If the temporary event venue is rezoned, the temporary event venue permit shall become void and the venue shall operate under all rules, regulations, and requirements of law, including the North Carolina State Building Code, any local variant under G.S. 143-138(e), and city ordinances."

SECTION 8.(c) G.S. 143-138 reads as rewritten:


..."

(b21) Exclusion for Temporary Event Venues. – No permit shall be required under the North Carolina State Building Code or any local variant approved under subsection (e) of this section for any construction, installation, repair, replacement, or alteration of a temporary event venue issued a temporary event venue permit under G.S. 160A-383.6.

...."

SECTION 8.(d) G.S. 160A-383.1 is amended by adding a new subsection to read:

"(b21) Exclusion for Temporary Event Venues. – No permit shall be required under the North Carolina State Building Code or any local variant approved under subsection (e) of this section for any construction, installation, repair, replacement, or alteration of a temporary event venue issued a temporary event venue permit under G.S. 160A-383.6."

SECTION 8.(e) This section is effective October 1, 2019.
NC PRE-K SCHOOL OPTIONS

SECTION 9. The Division of Child Development and Early Education and the Director of the NC Pre-K program shall ensure that all entities operating NC Pre-K classrooms provide to the parent or guardian of each child participating in the NC Pre-K program a list of all public and private school options in the county in which the child resides.

PART II. AGRICULTURE, ENERGY, ENVIRONMENT, AND NATURAL RESOURCES REGULATION

CLARIFY LANDFILL LIFE-OF-SITE FRANCHISE REQUIREMENTS

SECTION 10. G.S. 130A-294(a4) reads as rewritten:

"(a4) In order to preserve long-term disposal capacity, a life-of-site permit issued for a sanitary landfill shall survive the expiration of a local government approval or franchise, and the local government shall allow the sanitary landfill to continue to operate until the term of the landfill's life-of-site permit expires provided that the owner or operator has complied in substantial compliance with the terms of the local government approval or franchise agreement, and remains in compliance with those terms after expiration of the approval or agreement until the life of site permit has expired. In order to preserve any economic benefits included in the franchise, the County may extend the franchise under the same terms and conditions for the term of the life-of-site permit. The extension of the franchise hereby shall not trigger the requirements for a new permit, a major permit modification, or a substantial amendment to the permit. This subsection only applies to valid and operative franchise agreements in effect on October 1, 2015."

REPURPOSE PRE-REGULATORY LANDFILL FUNDS

SECTION 11. Section 13.2 of S.L. 2018-5, as amended by Section 4.2 of S.L. 2018-97, reads as rewritten:

"SECTION 13.2. Notwithstanding G.S. 130A-310.11(b), up to two million dollars ($2,000,000) of the funds credited to the Inactive Hazardous Sites Cleanup Fund under G.S. 105-187.63 for the assessment and remediation of pre-1983 landfills shall instead be used by the Department of Environmental Quality's Division of Waste Management to provide a matching grant to Charlotte Motor Speedway, LLC, (CMS) for the purpose of remediation activities at the Charlotte Motor Speedway in Cabarrus County. The Division shall provide one dollar ($1.00) for every two non-State dollars ($2.00) provided in kind or otherwise, up to a maximum of two million dollars ($2,000,000) for the matching grant described in this section. CMS may allocate all or a portion of the grant provided by this section to an entity that controls CMS or an entity controlled by CMS. Entities receiving such an allocation shall be considered a subgrantee as defined in G.S. 143C-6-23."

STUDY EXPRESS PERMITTING EXPANSION

SECTION 12. The Department of Environmental Quality shall study and report on additional positions and funding needed as well as any changes in State or federal laws and regulations necessary to expand the Department's express permitting programs to include additional types of permits typically required for job creating and real estate development or redevelopment activities. Additional permits considered in the study shall include, at a minimum, permits for facilities not discharging to the surface waters of the State under Article 21 of Chapter 143 of the General Statutes and permits to apply petroleum-contaminated soil to land authorized under G.S. 143-215.1. The Department shall provide its report and recommendations to the Environmental Review Commission, the Joint Legislative Oversight Committee on Agriculture...
EXTEND EMERGENCY GENERAL PERMIT DEADLINES

SECTION 13. CAMA Emergency General Permit Extension. – Notwithstanding the

time lines set forth in 15A NCAC 07H .2502 or other applicable law to the contrary, Coastal

Area Management Act Emergency General Permits authorized in response to Hurricanes

Florence and Michael and activated by the Secretary of the Department of Environmental Quality

in a September 20, 2018, statement, as amended on October 12, 2018, shall be subject to the

following schedule:

(1) All emergency general permits must be issued by October 12, 2019.

(2) All work authorized by the emergency general permits must be completed by

October 12, 2020.

WASTEWATER RESERVE PRIORITY

SECTION 14.(a) G.S. 159G-23 reads as rewritten:

§ 159G-23. Priority consideration for loan or grant from Wastewater Reserve or Drinking

Water Reserve.

The considerations for priority in this section apply to a loan or grant from the Wastewater

Reserve or the Drinking Water Reserve. The Division of Water Infrastructure must consider the

following items when evaluating applications:

(2) Effect on impaired waters. – A project that improves designated impaired

waters of the State, with greater priority given to projects that improve

designated impaired waters of the State that serve as a public water supply for

a large public water system. For purposes of this subdivision, a large public

water system is one serving more than 175,000 service connections.

(11) State water supply plan. Improve regional coordination. – A project that

addresses a potential conflict between local plans or implements a measure in

which local water supply plans could be better coordinated, as identified in

the State water supply plan pursuant to G.S. 143-355(m)-coordinated.

(14) Disproportionate burden to protect water supply of higher-wealth neighboring

local government unit. – Wastewater system improvements made by a local

government unit in order to protect or preserve the water supply of a

neighboring local government unit that has a lower poverty rate, lower utility

bills, higher population growth, higher median household incomes, and lower

unemployment."

SECTION 14.(b) This section becomes effective July 1, 2019, and applies to

applications for loans or grants from the Wastewater Reserve or the Drinking Water Reserve

received by the Division of Water Infrastructure on or after that date.

PART III. MISCELLANEOUS REGULATORY REFORM PROVISIONS

ARCHITECTURAL LICENSE EXCEPTION FOR SMALL PROJECTS

SECTION 15. G.S. 83A-13 reads as rewritten:


(c) Nothing in this Chapter shall be construed to require an architectural license for the

preparation, sale, or furnishing of plans, specifications and related data, or for the supervision of
construction pursuant thereto, where the building, buildings, or project involved is in one of the following categories:

... An institutional or commercial building if it does not have a total value exceeding ninety thousand dollars ($90,000); two hundred thousand dollars ($200,000);

(4) An institutional or commercial building if the total building area does not exceed 2,500-3,000 square feet in gross floor area;

(c1) Notwithstanding subdivisions (c)(3) and (4) of this section, a commercial building project with a total value of less than ninety thousand dollars ($90,000) two hundred thousand dollars ($200,000) and a total project area of less than 2,500-3,000 square feet shall be exempt from the requirement for a professional architectural seal.

REVENUE LAWS STUDY

SECTION 16. The Revenue Laws Study Committee is directed to study issues related to the property taxation of outdoor advertising signs. The study shall review the methods used to determine the fair market value of outdoor advertising signs in North Carolina. When conducting the study, the committee may consider whether the Billboard Structures Valuation Guide published by the North Carolina Department of Revenue provides an accurate representation of the base costs for outdoor advertising structures in North Carolina, including whether the Department should use data on actual costs attributed to structures constructed in North Carolina, and any other issues the Committee deems relevant.

The Committee shall report its findings and any legislative recommendations to the 2020 Regular Session of the 2019 General Assembly.

BROADBAND EASEMENTS

SECTION 17. G.S. 117-28.1 reads as rewritten:


(a) Any easement owned, held, or otherwise used by an electric membership corporation for the purpose of electrification, as stated in G.S. 117-10 may also be used by the corporation, or its wholly owned subsidiary, for the ancillary purpose of supplying high-speed broadband service, where such use does not require additional construction and is ancillary to the electrification purposes for which broadband fiber is or was installed. Nothing in this subsection shall affect, abrogate, or eliminate in any way any obligation of the corporation or its wholly owned subsidiary to comply with any applicable requirements related to notice, safety, or permitting when constructing or maintaining lines or broadband fiber on, over, under, or across property owned or operated by a railroad company.

..."

DESIGN STUDY

SECTION 18.(a) Study. – The Joint Legislative Program Evaluation Oversight Committee shall revise the biennial 2019-2020 work plan for the Program Evaluation Division to include a study on the standards applicable to interior designers in North Carolina. In conducting the study, the following shall be considered:

(1) Existing certification, licensure, and registration requirements in other states.

(2) Whether interior designers should be certified, licensed, or registered to practice in this State.

(3) Training requirements to be an interior designer in this State.

(4) The scope of practice for interior designers in this State.
(5) Any other issues the Program Evaluation Division deems relevant.

SECTION 18.(b) Report. – The Program Evaluation Division shall report its findings and recommendations from the study required under subsection (a) of this section to the Joint Legislative Program Evaluation Oversight Committee by March 15, 2020.

MANUFACTURED HOMES INSTALLATION

SECTION 19.(a) G.S. 160A-383.1 is amended by adding a new subsection to read:

"(g) A city may require by ordinance that manufactured homes be installed in accordance with the Set-Up and Installation Standards adopted by the Commissioner of Insurance; provided, however, a city shall not require a masonry curtain wall or masonry skirting for manufactured homes located on land leased to the homeowner."

SECTION 19.(b) This section is effective October 1, 2019.

ELECTRIC STANDUP SCOOTERS

SECTION 20.(a) G.S. 20-4.01 reads as rewritten:

"§ 20-4.01. Definitions.

Unless the context requires otherwise, the following definitions apply throughout this Chapter to the defined words and phrases and their cognates:

... (7c) Electric Standup Scooter. – A device with no more than three 12-inch or smaller diameter wheels that has handlebars, is designed to be stood upon by the user while riding, and is powered by an electric motor that is capable of propelling the device with or without human propulsion at a speed no greater than 20 miles per hour on a paved level surface.

(7d) Employer. – Any person who owns or leases a commercial motor vehicle or assigns a person to drive a commercial motor vehicle and would be subject to the alcohol and controlled substance testing provisions of 49 C.F.R. § 382 and also includes any consortium or third-party administrator administering the alcohol and controlled substance testing program on behalf of owner-operators subject to the provisions of 49 C.F.R. § 382.

... (23) Motor Vehicle. – Every vehicle which is self-propelled and every vehicle designed to run upon the highways which is pulled by a self-propelled vehicle. Except as specifically provided otherwise, this term shall not include mopeds, electric assisted bicycles, bicycles, or electric standup scooters.

... (27) Passenger Vehicles. –

... j. Moped. – A vehicle, other than a motor-driven bicycle or bicycle, electric assisted bicycle, or electric standup scooter, that has two or three wheels, no external shifting device, a motor that does not exceed 50 cubic centimeters piston displacement and cannot propel the vehicle at a speed greater than 30 miles per hour on a level surface. The motor may be powered by electricity, alternative fuel, motor fuel, or a combination of each.

... (49) Vehicle. – Every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices moved by human power or used exclusively upon fixed rails or tracks; provided, that for the purposes of this Chapter bicycles, electric assisted bicycles, electric standup scooters shall be deemed vehicles and every...
rider of a bicycle or bicycle, an electric assisted bicycle, or electric standup scooter upon a highway shall be subject to the provisions of this Chapter applicable to the driver of a vehicle except those which by their nature can have no application. This term shall not include a device which is designed for and intended to be used as a means of transportation for a person with a mobility impairment, or who uses the device for mobility enhancement, is suitable for use both inside and outside a building, including on sidewalks, and is limited by design to 15 miles per hour when the device is being operated by a person with a mobility impairment, or who uses the device for mobility enhancement. This term shall not include an electric personal assistive mobility device as defined in subdivision (7b) of this section. Unless the context requires otherwise, and except as provided under G.S. 20-109.2, 47-20.6, or 47-20.7, a manufactured home shall be deemed a vehicle.

..."

SECTION 20.(b) G.S. 20-51 is amended by adding a new subdivision to read:
"(18) Electric standup scooters as defined in G.S. 20-4.01(7c)."

SECTION 20.(c) Any and all ordinances in effect on the effective date of this act or hereinafter adopted by a municipality that conflict with the provisions of this act shall be null and void. Upon the effective date of this act, any municipality that has adopted an ordinance or regulation affecting electric standup scooters shall conduct a review of those ordinances and regulations to ensure compliance with this act.

SECTION 20.(d) This section is effective when it becomes law and applies to offenses committed on or after that date.

LIMITED REGISTRATION PLATES/FINE COLLECTION

SECTION 21.(a) G.S. 20-54 reads as rewritten:
"§ 20-54. Authority for refusing registration or certificate of title.
The Division shall refuse registration or issuance of a certificate of title or any transfer of registration upon any of the following grounds:

..."

(6) The vehicle is not in compliance with the inspection requirements of Part 2 of Article 3A of this Chapter or a civil penalty assessed as a result of the failure of the vehicle to comply with that Part has not been paid. Notwithstanding this subdivision, a dealer licensed under Article 12 of this Chapter may, on behalf of a person purchasing a vehicle, obtain a limited registration plate pursuant to G.S. 20-79.1A.

...

(10) The North Carolina Turnpike Authority has notified the Division that the owner of the vehicle has not paid the amount of tolls, fees, and civil penalties the owner owes the Authority for use of a Turnpike project. Notwithstanding this subdivision, a dealer licensed under Article 12 of this Chapter may, on behalf of a person purchasing a vehicle, obtain a limited registration plate pursuant to G.S. 20-79.1A.

(11) The Division has been notified (i) pursuant to G.S. 20-217(g2) that the owner of the vehicle has failed to pay any fine imposed pursuant to G.S. 20-217 or (ii) pursuant to G.S. 153A-246(b)(14) that the owner of the vehicle has failed to pay a civil penalty due under G.S. 153A-246. Notwithstanding this subdivision, a dealer licensed under Article 12 of this Chapter may, on behalf of a person purchasing a vehicle, obtain a limited registration plate pursuant to G.S. 20-79.1A.
1. The owner of the vehicle has failed to pay any penalty or fee imposed pursuant to G.S. 20-311. Notwithstanding this subdivision, a dealer licensed under Article 12 of this Chapter may, on behalf of a person purchasing a vehicle, obtain a limited registration plate pursuant to G.S. 20-79.1A.

2. The Division has been notified by the State Highway Patrol that the owner of the vehicle has failed to pay any civil penalty and fees imposed by the State Highway Patrol for a violation of Part 9 of Article 3 of this Chapter. Notwithstanding this subdivision, a dealer licensed under Article 12 of this Chapter may, on behalf of a person purchasing a vehicle, obtain a limited registration plate pursuant to G.S. 20-79.1A."

**SECTION 21.(b)** G.S. 20-79.1A(a)(1) reads as rewritten:

"(a) Eligibility. – A limited registration plate is issuable to any of the following:

(1) A person who applies, either directly or through a dealer licensed under Article 12 of this Chapter, for a title to a motor vehicle and a registration plate for the vehicle and who submits payment for the applicable title and registration fees but does not submit payment for any municipal corporation property taxes on the vehicle. A person who submits payment for municipal corporation property taxes receives an annual registration plate. A dealer shall notify the person purchasing a vehicle of any outstanding civil penalties, fees, tolls, and obligations owed that are of record and that are known by the dealer at the time the dealer applies for a title to a motor vehicle and a registration plate for the vehicle under this section."

**SECTION 21.(c)** This section is effective when it becomes law.

**VOTING SYSTEMS PERFORMANCE BOND**

**SECTION 22.(a)** G.S. 163A-1115 reads as rewritten:


(a) (Effective until December 1, 2019, for certain counties – see note) Only voting systems that have been certified by the State Board in accordance with the procedures set forth by the State Board and subject to the standards set forth in this section and that have not been subsequently decertified shall be permitted for use in elections in this State. Those certified voting systems shall be valid in any election held in the State or in any county, municipality, or other electoral district in the State. Subject to all other applicable rules adopted by the State Board and, with respect to federal elections, subject to all applicable federal regulations governing voting systems, paper ballots marked by the voter and counted by hand shall be deemed a certified voting system. The State Board shall certify optical scan voting systems, optical scan with ballot markers voting systems, and direct record electronic voting systems if any of those systems meet all applicable requirements of federal and State law. The State Board may certify voting systems only if they meet the requirements set forth in this section, the performance bond or letter of credit required by subdivision (1) of this subsection has been posted, and only if they generate either a paper ballot or a paper record by which voters may verify their votes before casting them and which provides a backup means of counting the vote that the voter casts. Those voting systems may include optical scan and direct record electronic (DRE) voting systems. Among other requirements as set by the State Board, the certification requirements shall require at least all of the following elements:

(1) That the vendor post a performance bond or letter of credit to cover damages resulting from defects in the voting system, expenses associated with State or federal decertification of the voting system, and to protect against the vendor's insolvency or financial inability to make State or federally mandated modifications or updates to the voting system. Damages may include, among other items, any costs of conducting a new county or statewide election
attributable to those defects. The bond or letter of credit shall be maintained
in the amount determined by the State Board as sufficient for the cost of a new
statewide election or in the amount of ten million dollars ($10,000,000),
whichever is greater.

(a)(Effective June 20, 2018, as to certain counties, and December 1, 2019, as to all
other counties – see note) Only voting systems that have been certified by the State Board in
accordance with the procedures set forth by the State Board and subject to the standards set forth
in this section and that have not been subsequently decertified shall be permitted for use in
elections in this State. Those certified voting systems shall be valid in any election held in the
State or in any county, municipality, or other electoral district in the State. Subject to all other
applicable rules adopted by the State Board and, with respect to federal elections, subject to all
applicable federal regulations governing voting systems, paper ballots marked by the voter and
counted by hand shall be deemed a certified voting system. The State Board shall certify optical
scan voting systems, optical scan with ballot markers voting systems, and direct record electronic
voting systems if any of those systems meet all applicable requirements of federal and State law.
The State Board may certify voting systems only if they meet the requirements set forth in this
section-section, the performance bond or letter of credit required by this subdivision (1) of this
subsection has been posted, and only if they generate a paper ballot which provides a backup
means of counting the vote that the voter casts. Those voting systems may include optical scan
and direct record electronic (DRE) voting systems that produce a paper ballot. Among other
requirements as set by the State Board, the certification requirements shall require at least all of
the following elements:

1. That the vendor post a performance bond or letter of credit to cover damages
resulting from defects in the voting system, expenses associated with State or
federal decertification of the voting system, and to protect against the vendor's
insolvency or financial inability to make State or federally mandated
modifications or updates to the voting system. Damages may include, among
other items, any costs of conducting a new county or statewide election
attributable to those defects. The bond or letter of credit shall be maintained
in the amount determined by the State Board as sufficient for the cost of a new
statewide election or in the amount of ten million dollars ($10,000,000),
whichever is greater.

 SECTION 22.(b) This section is effective when it becomes law.

SALE OF SALVAGED VEHICLES

 SECTION 23.(a) G.S. 20-183.4C(a) reads as rewritten:

"(a) Inspection. – A vehicle that is subject to a safety inspection, an emissions inspection,
or both must be inspected as follows:

…"

(2) A-Except as otherwise provided in this subdivision, a used vehicle must be
inspected before it is offered for sale at retail in this State by a dealer. Upon
purchase, a receipt approved by the Division must be provided to the new
owner certifying compliance. A dealer may sell, without a safety inspection,
a used vehicle issued a salvage certificate of title in accordance with the
provisions of this Chapter if (i) no alterations or repairs have been made to the
vehicle after issuance of the salvage certificate of title and after sale of the
vehicle and (ii) the dealer discloses in writing on a form approved by the
Division that no safety inspection has been performed by the dealer.

…"
SECTION 23.(b) This section is effective when it becomes law and applies to used vehicles sold on or after that date.

ABC PERMITS AT CERTAIN COMMUNITY COLLEGE STADIUMS

SECTION 24.(a) G.S. 18B-1006(a) reads as rewritten:

"(a) School and College Campuses. – No permit for the sale of alcoholic beverages shall be issued to a business on the campus or property of a public school, college, or university. This subsection shall not apply to the following:

(7) The sale of malt beverages, unfortified wine, or fortified wine at the following:
   a. Performing arts centers located on property owned or leased by the public college or university.
   b. Any stadiums that support a NASCAR-sanctioned one-fourth mile asphalt flat oval short track, that are owned or leased by the public college or university, and that only sell malt beverages, unfortified wine, or fortified wine at events that are not sponsored or funded by the public college or university.
   c. Any stadiums owned by a community college, with a permanently constructed seating capacity of 2,000 or more, leased to a for-profit corporation registered in the State, and that only sell malt beverages, unfortified wine, or fortified wine at events that are not sponsored or funded by the community college or the National Junior College Athletic Association.

…"

SECTION 24.(b) This section becomes effective April 9, 2019, and applies to permits issued or active on or after that date.

DEPARTMENT OF TRANSPORTATION STUDY

SECTION 25.(a) Study. – The Department of Transportation shall study the needs of law enforcement, emergency medical and emergency management personnel, and firefighters to improve access to or within the interstate system within this State for the benefit of public safety. In conducting the study, the Department of Transportation may consult with the Division of Emergency Management of the Department of Public Safety, the Office of State Fire Marshal of the Department of Insurance, the Office of Emergency Medical Services of the Department of Health and Human Services, and any other State or local government organizations the Department of Transportation determines may be of assistance in the course of the study. In performing the study, the Department of Transportation shall, at a minimum, take the following steps:

(1) Consult with county fire marshal divisions, emergency management offices, and emergency medical service divisions to determine potential sites of interest for construction or improvement relevant to the study.
(2) Establish criteria to prioritize sites of interest for either construction or improvement.
(3) Review applicable federal and State laws, codes, standards, and studies relevant to the study.
(4) Review (i) existing Department of Transportation planning, design, and construction standards for interchanges, median crossovers, and access points and (ii) how those standards consider the needs of law enforcement, emergency medical and emergency management personnel, and firefighters.
(5) Consider the feasibility of providing opportunities for stakeholder input during the planning of future interstate improvements that focus on the needs
of law enforcement, emergency medical and emergency management personnel, and firefighters.

(6) Examine any other matters the Department of Transportation deems relevant in the course of the study.

SECTION 25.(b) Report. – The Department of Transportation shall report the findings and recommendations, including any legislative proposals, to the Joint Legislative Oversight Committee on Justice and Public Safety, the Joint Legislative Emergency Management Oversight Committee, and the Joint Legislative Transportation Oversight Committee no later than March 1, 2022.

SALVAGE TITLE STUDY

SECTION 26.(a) The Division of Motor Vehicles shall, in consultation with the Department of Insurance and interested parties, study whether the laws governing the title, registration, and branding of salvage vehicles need to be revised to protect consumers from vehicles that appear safe, but are actually unsafe because of flood damage or other severe damage that makes a vehicle unsafe, but is concealed from the consumer. The study will include the economic impact to the consumer of any proposed change in law recommended by the Division. As part of the study, the Division shall consider any other issues determined to be relevant to the title and registration of salvage vehicles.

SECTION 26.(b) No later than March 1, 2020, the Division of Motor Vehicles shall report its findings, including any recommendations for legislation, to the chairs of the Joint Legislative Transportation Oversight Committee, the House of Representatives Appropriations Committee on Transportation, the Senate Appropriations Committee on the Department of Transportation, and the Fiscal Research Division.

SECTION 26.(c) This section is effective when it becomes law.

RECYCLING STUDY

SECTION 27.(a) The Environmental Review Commission shall study ways to optimize and modernize North Carolina's recycling requirements for discarded computer equipment and televisions. In conducting this study, the Commission shall consider (i) the changing waste stream, including trends involving the amount of cathode ray tube televisions discarded and the conditions of associated recycling markets, (ii) the economics of the recycling stream for computer equipment and televisions in light of trends in recycling markets, (iii) impacts of market conditions and the State's recycling policies on computers and televisions on the State's recycling industry, computer and television manufacturers, and local governments, (iv) the current status of North Carolina's recycling system, including cost and financing issues, and options that may be available to reduce costs, (v) opportunities for more efficient and effective recycling systems, and (vi) any other issue the Department deems relevant. The Environmental Review Commission shall report its findings, together with any proposed legislation to modernize the recycling requirements for computers and televisions, to the 2021 Regular Session of the General Assembly upon its convening.

SECTION 27.(b) This section is effective when it becomes law.

NORTH CAROLINA BOARD OF ARCHITECTURE MODIFICATIONS

SECTION 27.5.(a) G.S. 83A-2 reads as rewritten:

"§ 83A-2. North Carolina Board of Architecture; creation; appointment, terms and oath of members; vacancies; officers; bond of treasurer; notice of meetings; quorum.

(a) The North Carolina Board of Architecture shall have the power and responsibility to administer the provisions of this Chapter in compliance with the Administrative Procedure Act.

(b) The Board shall consist of seven members appointed by the Governor. Five of the members of the Board shall be licensed architects appointed for five year terms; the terms shall
be staggered so that the term of one architect member expires each year. No architect member shall be eligible to serve more than two consecutive terms; if a vacancy occurs during a term, the Governor shall appoint a person to fill the vacancy for the remainder of the unexpired term. Two of the members of the Board shall be persons who are not licensed architects and who represent the interest of the public at large; the Governor shall appoint these members not later than July 1, 1979. The public members shall have full voting powers and shall serve at the pleasure of the Governor. Each Board member shall file with the Secretary of State an oath faithfully to perform duties as a member of the Board, and to uphold the Constitution of North Carolina and the Constitution of the United States.

(c) Officers of the Board shall include a president, vice-president, secretary and treasurer elected at the annual meeting for terms of one year. The treasurer shall give bond in such sum as the Board shall determine, with such security as shall be approved by the Board, said bond to be conditioned for the faithful performance of the duties of his office and for the faithful accounting of all moneys and other property as shall come into his hands. Notice of the annual meeting, and the time and place of the annual meeting shall be given each member by letter at least 10 days prior to such meeting and public notice of annual meetings shall be published at least once each week for two weeks preceding such meetings in one or more newspapers of general circulation in this State, on the Web site of the Board. A majority of the members of the Board shall constitute a quorum."

SECTION 27.5.(b) G.S. 83A-5 reads as rewritten:

"§ 83A-5. Board records; rosters; seal.
(a) The Board shall maintain records of board meetings, of applications for individual or corporate registration and the action taken thereon, of the results of examinations, of all disciplinary proceedings, and of such other information as deemed necessary by the Board or required by the Administrative Procedure Act or other provisions of the General Statutes.
(b) A complete roster showing the name and last known address of all resident and nonresident architects and architectural firms holding current licenses from the Board shall be maintained and published by the Board at least once each year, shall include each registrant's authorization or registration number. Copies of the roster shall be filed with the Secretary of State and the Attorney General, and other applicable State or local agencies, and upon request, may be distributed or sold to the public. General, and may be made available on the Web site of the Board.
(c) The Board shall adopt a seal containing the name of the Board for use on its official records and reports."

SECTION 27.5.(c) G.S. 83A-7 reads as rewritten:

"§ 83A-7. Qualifications and examination requirements.
(a) Licensing by Examination. – Any individual who is at least 18 years of age and of good moral character may make written application for examination by completion of a form prescribed by the Board accompanied by the required application fee. Subject to qualification requirements of this section, the applicant shall be entitled to an examination to determine his qualifications for licensure.

(1) The qualification requirements for registration application for examination as a duly licensed architect shall be all of the following:
   a. Professional education and at least three years practical training and experience as specified by rules of the Board.
   b. The successful completion of a licensure examination in architecture as specified by the rules of the Board.
   c. The successful completion of an accredited master's or bachelor's degree in architecture as specified by the rules of the Board.

(2) The Board shall adopt rules to set requirements for professional education, practical training and experience, and examination which must be met by
applicants for licensure and which may be based on the published guidelines of nationally recognized councils or agencies for the accreditation, examination, and licensing for the architectural profession.

(b) Licensing by Reciprocity. – Any individual holding a current license for the practice of architecture from another state or territory, and holding a certificate of qualification certified record issued by the National Council of Architectural Registration Boards, NCARB, may upon application and within the discretion of the Board be licensed without written examination. The Board may, in its discretion, waive the requirement for National Council of Architectural Registration Boards (NCARB) registration certified record if the qualifications, examination and licensing requirements of the state in which the applicant is licensed are substantially equivalent to those of this State and the applicant otherwise meets the requirements of this Chapter."

SECTION 27.5.(d) G.S 83A-11 reads as rewritten:

Certificates must be renewed on or before the first day of July in each year. No less than 30 days prior to the renewal date, a renewal application shall be mailed to each individual and corporate licensee. The completed application together with the required renewal fee shall be returned to the Board on or before the renewal date. When the Board is satisfied as to the continuing competency of an architect, it shall issue a renewal of the certificate. Upon failure to renew within 30 days after the date set for expiration, the license shall be automatically revoked but such license may be renewed at any time within one year following the expiration date upon proof of continuing competency and payment of the renewal fee plus a late renewal fee. After one year from the date of revocation, reinstatement may be made by the Board, or in its discretion, the application may be treated as new subject to reexamination and qualification requirements as in the case of new applications."

PART IV. SEVERABILITY CLAUSE AND EFFECTIVE DATE

SECTION 28.(a) If any section or provision of this act is declared unconstitutional or invalid by the courts, it does not affect the validity of this act as a whole or any part other than the part declared to be unconstitutional or invalid.

SECTION 28.(b) Except as otherwise provided, this act is effective when it becomes law.