

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2025

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SENATE BILL 388

Short Title: DOT Permit Review Time Periods.

(Public)

Sponsors: Senators McInnis, Moffitt, and Jarvis (Primary Sponsors).

Referred to: Rules and Operations of the Senate

March 25, 2025

1 A BILL TO BE ENTITLED

2 AN ACT TO IMPLEMENT SPECIFIC TIME PERIODS ON THE REVIEW PROCESS FOR
3 CERTAIN PERMITS ISSUED BY THE DEPARTMENT OF TRANSPORTATION.

4 The General Assembly of North Carolina enacts:

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

7 **§ 136-93.1B. Permit review process for driveway, encroachment, and subdivision permits.**

8 (a) Within 10 business days of receiving an application for a permit issued under
9 G.S. 136-18(29), 136-18(37), 136-30, 136-93, or 136-102.6, the Department of Transportation
10 shall take one of the following actions:

11 (1) Notify the applicant that the permit application is complete and proceed in
12 accordance with subsection (b) of this section.

13 (2) Notify the applicant that the permit application is incomplete and proceed in
14 accordance with subsection (c) of this section.

15 A completeness notification is not required if, within the 10 business-day period, the
16 Department issues the permit to the applicant or denies the permit application and provides the
17 applicant with a signed written report citing the applicable statutes or regulations that justify the
18 permit denial.

19 (b) If the Department determines that the permit application is complete, the Department
20 shall notify the permit applicant the permit application is complete and that a review period of
21 30 calendar days has commenced. No later than the expiration of this review period the
22 Department shall issue the permit to the applicant or deny the permit application and provide the
23 applicant with a signed written report citing the applicable statutes or regulations that justify the
24 permit denial.

25 (c) If the Department determines that the application is incomplete, the Department shall
26 provide the applicant with the specific information required to complete the application. Upon
27 receipt of the specific information required to complete the application, the Department shall
28 notify the permit applicant the permit application is complete and that a review period of 30
29 calendar days has commenced. No later than the expiration of this review period the Department
30 shall issue the permit to the applicant or deny the permit application and provide the applicant
31 with a signed written report citing the applicable statutes or regulations that justify the permit
32 denial.

33 (d) If the Department fails to proceed in accordance with any of the time periods set forth
34 in this section, the permit application shall be deemed approved and the Department shall issue
35 the permit to the applicant."

36 **SECTION 2.** This act is effective when it becomes law.

