

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

A BILL TO BE ENTITLED
AN ACT TO IMPLEMENT SPECIFIC TIME PERIODS ON THE REVIEW PROCESS FOR
CERTAIN PERMITS ISSUED BY THE DEPARTMENT OF TRANSPORTATION.

The General Assembly of North Carolina enacts:

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

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

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

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

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

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

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

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

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

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



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