



HOUSE BILL 416: Establish Park South Station Traffic Violations.

2021-2022 General Assembly

Committee:	House Rules, Calendar, and Operations of the House	Date:	May 6, 2021
Introduced by:	Reps. Autry, Howard, Belk	Prepared by:	Jonathan Zator
Analysis of:	Second Edition		Staff Attorney

OVERVIEW: *House Bill 416 would apply the State's motor vehicle laws to the Park South Station Community (Community) roadways, allow a law enforcement officer contracted by the Community to enforce traffic violations within the Community area, and allow the Charlotte City Council to modify a speed limit within the Community area.*

CURRENT LAW: It is generally unlawful to operate a vehicle in excess of 35 miles per hour inside city corporate limits (G.S. 20-141(b)(1)). Cities may establish speed limits of less than 35 miles per hour on streets if they are not part of the State Highway System and there is appropriate signage (G.S. 20-141(e)).

These limitations apply only on streets or highways, which are roadways open to the public as a matter of right (G.S. 20-4.01(13) and (46)). Private roads not dedicated to the city are not streets because they are not open to the public as a matter of right. Such private roadways are considered public vehicular areas, which are defined in part as roads used by vehicular traffic within or leading to a gated or non-gated subdivision or community, whether or not the subdivision or community roads have been offered for dedication to the public (G.S. 20-4.01(32c)).

G.S. 15A-302 provides for citations and G.S. 15A-401 provides for arrests by a law enforcement officer. Persons in violation of the State's motor vehicle laws on public streets and highways may be subject to citation or arrest (Chapter 20 of the General Statutes).

BILL ANALYSIS: House Bill 416 would make the State's motor vehicle laws apply to private roadways within the Community. A law enforcement officer contracted by the Community would be allowed to enforce motor vehicle violations that occur on the Community's private roadways. The Charlotte City Council would be able to set and modify a speed limit in the Community area.

EFFECTIVE DATE: This act would be effective when it becomes law and only apply to the City of Charlotte.

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