

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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HOUSE BILL 693

Short Title: Common Carrier ABC Permit. (Public)

Sponsors: Representatives Moffitt, Bradford, Szoka, and Martin (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Alcoholic Beverage Control, if favorable, Rules, Calendar, and Operations of the House

April 28, 2021

1 A BILL TO BE ENTITLED
2 AN ACT TO CREATE A COMMON CARRIER VEHICLE ABC PERMIT.
3 The General Assembly of North Carolina enacts:

4 **SECTION 1.** G.S. 18B-1001 is amended by adding a new subdivision to read:

5 "(22) Common Carrier Vehicle Permit. – Notwithstanding the results of any local
6 election, a permit under this subdivision may be issued to a business primarily
7 engaged in this State in the intrastate operation of common carriers of
8 passengers and operating under a certificate of authority issued by the North
9 Carolina Utilities Commission. A common carrier vehicle permit authorizes
10 the sale or service of malt beverages, unfortified wine, fortified wine, and
11 mixed beverages in the passenger area of a common carrier of passengers for
12 consumption by passengers in the passenger area during journeys of 75 miles
13 or longer that do not terminate within 10 miles of the origin of the journey.
14 The permit issued to the business shall cover all common carriers of
15 passengers owned by the business. The permit or a copy of the permit shall be
16 prominently displayed on each common carrier of passengers on which
17 alcoholic beverages are served or sold. Notwithstanding G.S. 18B-101(12a),
18 the passenger area of a permittee's common carrier of passengers constitutes
19 the premises for the permit. This permit shall not allow consumption of
20 alcohol on a common carrier of passengers by any employee of the permittee.
21 A permittee may not sell or serve alcoholic beverages to a passenger between
22 the hours of 2:00 A.M. and 7:00 A.M. and a passenger may not be allowed to
23 consume alcoholic beverages between the hours of 2:30 A.M. and 7:00 A.M.
24 Notwithstanding G.S. 18B-1004(c) or any local ordinance, alcoholic
25 beverages may be sold or consumed beginning at 10:00 A.M. on Sundays. For
26 purposes of this subdivision, a common carrier of passengers has the same
27 meaning as in G.S. 20-4.01(27)d."

28 **SECTION 2.** G.S. 18B-902(d) reads as rewritten:

29 "(d) Fees. – An application for an ABC permit shall be accompanied by payment of the
30 following application fee:

31 ...
32 (48) Common carrier vehicle permit – \$1,000."

33 **SECTION 3.** G.S. 18B-401 reads as rewritten:

34 **"§ 18B-401. Manner of transportation.**



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1 (a) Opened Containers. – ~~It~~ Except as authorized by a common carrier vehicle permit
2 under G.S. 18B-1001(22), it shall be unlawful for a person to transport fortified wine or spirituous
3 liquor in the passenger area of a motor vehicle in other than the manufacturer's unopened original
4 container. It shall be unlawful for a person who is driving a motor vehicle on a highway or public
5 vehicular area to consume in the passenger area of that vehicle any malt beverage or unfortified
6 wine. Violation of this subsection shall constitute a Class 3 misdemeanor.

7"

8 **SECTION 4.** This act becomes effective August 1, 2021.