



CHAPTER 136
ARTICLE 1 - ORGANIZATION OF DEPARTMENT OF TRANSPORTATION

N.C.G.S. § 136-14.

Members not eligible for other employment with Department; no sales to Department by employees; members not to sell or trade property with Department; profiting from official position; misuse of confidential information by Board members.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 1998-169, s. 4 — eleventh act in the lineage	21 September 2026, 04:44 UTC	4dad12fa5273aa3d2055a372 - 1d48a455836a585534d29f50 - 1676fed6174c760a

- § 136-14(a)

No Board member shall be eligible to any other employment in connection with the Department.
- § 136-14(b)

No Board member or any salaried employee of the Department shall furnish or sell any supplies or materials, directly or indirectly, to the Department.
- § 136-14(c)

No Board member shall, directly or indirectly, engage in any transaction involving the sale of or trading of real or personal property with the Department.
- § 136-14(d)

No Board member shall profit in any manner by reason of the Board member's off - icial action or official position, except to receive salary, fees and allowances as by law provided.
- § 136-14(e)

No Board member shall take any official action or use the Board member's official position to profit in any manner the Board member's immediate family, a business with which the Board member or the Board member's immediate family has a business association, or a client of the Board member or the Board member's immediate family with whom the Board member, or the Board member's immediate family, has an existing business relationship for matters before the Board.

§ 136-14(f)

CLASS I FELONY

No Board member shall attempt to profit from a proposed project of the Department if the profit is greater than that which would be realized by other persons living in the area where the project is located. If the profit under this subsection would be greater for the Board member than other persons living in the area where the project is located not only shall the member abstain from voting on that issue, but once the conflict of interest is apparent, the member shall not discuss the project with any other Board member or other officer or employee of the Department except to state that a conflict of interest exists. Under this subsection a Board member is presumed to profit if the profit would be realized by a Board member's immediate family, a business with which the Board member or the Board member's immediate family has a business association, or a client of the Board member or the Board member's immediate family with whom the Board member, or the Board member's immediate family, has an existing business relationship for matters before the Board. Violation of this subsection shall be a Class I felony.

§ 136-14(g)

No Board member, in contemplation of official action by the Board member, by the Board, or in reliance on information that was made known to the Board member in the Board member's official capacity and that has not been made public, shall commit any of the following acts:

- (1) Acquire a pecuniary interest in any property, transaction, or enterprise or gain any pecuniary benefit that may be affected by such information or official action; or
- (2) Intentionally aid another to do any of the above acts.

§ 136-14(h)

As used in this section, the following terms mean:

- (1) "Board". - The Board of Transportation.
- (2) "Board member". - A member of the Board of Transportation.
- (3) "Business association". - A director, employee, officer, or partner of a business entity, or owner of more than ten percent (10%) interest in any business entity.

- (4) "Department". - The Department of Transportation.
- (5) "Immediate family". - Spouse, children, parents, brothers, and sisters.
- (6) "Official action". - Actions taken while a Board member related to or in connection with the person's duties as a Board member including, but not limited to, voting on matters before the Board, proposing or objecting to proposals for transportation actions by the Department or the Board, discussing transportation matters with other Board members or Department staff or employees in an effort to further the matter after the conflict of interest has been discovered, or taking actions in the course and scope of the position as a Board member and actions leading to or resulting in profit.
- (7) "Profit". - Receive monetary or economic gain or benefit, including an increase in value whether or not recognized by sale or trade.

§ 136-14(i)

CLASS H FELONY

Except as otherwise provided in this section, a violation of this section shall be a Class H felony which may include a fine of not more than twenty thousand dollars (\$20,000), or three times the value of the transaction, whichever amount is greater.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I

11 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.



Nº	YEAR	ACT	CHARACTER
01	1933	c. 172, s. 10	ENACTED
02	1957	c. 65, s. 11	AMENDED
03	1965	c. 55, s. 9	AMENDED
04	1973	c. 507, s. 8	AMENDED
05	1975	c. 716, s. 7	AMENDED
06	1977	c. 464, ss. 7.1, 10.2	AMENDED
07	1979	ch. 298, s. 3	AMENDED

08	1985	c. 689, s. 28	AMENDED
09	1993	c. 539, s. 1309	AMENDED
10	1994	Ex. Sess., c. 24, s. 14(c)	AMENDED
11	1998	S.L. 1998-169, s. 4	AMENDED

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 136-14 (1998).

PINPOINT

N.C. Gen. Stat. § 136-14(a) (1998).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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This is not the official text. The official text is published by the General Assembly of North Carolina.

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE
(1933, c. 172, s. 10; 1957, c. 65, s. 11; 1965, c. 55, s. 9; 1973, c. 507, s. 8; 1975, c. 716, s. 7; 1977, c. 464, ss. 7.1, 10.2; 1979, ch. 298, s. 3; 1985, c. 689, s. 28; 1993, c. 539, s. 1309; 1994, Ex. Sess., c. 24, s. 14(c); 1998-169, s. 4.)

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