

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

H

1

HOUSE BILL 768

Short Title: Clarify Radio Coverage Exemptions/Bldg Code. (Public)

Sponsors: Representatives Brody, Cotham, Zenger, and Winslow (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Housing and Development, if favorable, Emergency Management and Disaster Recovery, if favorable, Rules, Calendar, and Operations of the House

April 7, 2025

A BILL TO BE ENTITLED
AN ACT TO DIRECT THE NORTH CAROLINA BUILDING CODE COUNCIL TO ADOPT
RULES TO AMEND THE STATE BUILDING CODE AND STATE FIRE PREVENTION
CODE TO CLARIFY EXEMPTIONS FROM IN-BUILDING EMERGENCY
RESPONDER RADIO COVERAGE REQUIREMENTS.

The General Assembly of North Carolina enacts:

SECTION 1.(a) Definitions. – For purposes of this section, the following are defined:

- (1) Code. – The North Carolina State Building Code collection, including the North Carolina Fire Prevention Code, and amendments thereto, as adopted by the Council.
- (2) Council. – The North Carolina Building Code Council.
- (3) Emergency responder radio coverage requirements. – The requirements for in-building emergency responder communications enhancement systems specified under Section 510 of the North Carolina Fire Prevention Code.

SECTION 1.(b) Exemptions Established. – Notwithstanding the emergency responder radio coverage requirements of the Code, the following buildings and structures, whether existing, newly constructed or altered after the effective date of this act, are exempt from those requirements:

- (1) Apartment buildings not exceeding 75 feet in height, constructed using wood framing, provided the building has fewer than 150 dwelling units, and all dwelling units discharge directly to the exterior or to an interior corridor providing required egress that leads directly to an exterior exit.
- (2) Apartment buildings and transient public lodging establishments, including hotels and motels, not exceeding two stories above grade plane and that provide direct exterior egress from each dwelling unit or guest room.
- (3) Buildings defined as one-family dwellings, two-family dwellings, and townhouses regulated by the North Carolina Residential Code.
- (4) Buildings with a total gross floor area of less than 12,000 square feet and containing no story below grade plane or basement areas.

SECTION 1.(c) Treatment of Existing Systems in Exempted Buildings. – Notwithstanding Section 901.6 of the North Carolina Fire Prevention Code or any other provision of the State Building Code that might require the removal of nonrequired or abandoned systems, an emergency responder radio coverage system installed prior to the effective date of this act in



1 a building or structure that meets the exemption criteria established in subsection (b) of this
2 section shall not be required to be removed. Such systems may be deactivated.

3 **SECTION 1.(d) Rulemaking Required.** – The Council shall adopt rules to amend
4 the Code, specifically Section 510 of the North Carolina Fire Prevention Code and any related
5 sections addressing emergency responder radio coverage, to incorporate the exemptions listed in
6 subsection (b) of this section and the provisions regarding existing systems in subsection (c) of
7 this section. Notwithstanding G.S. 150B-19(4), the rules adopted by the Council pursuant to this
8 section shall be substantively identical to the provisions of subsections (b) and (c) of this section.
9 Rules adopted pursuant to this section are not subject to Part 3 of Article 2A of Chapter 150B of
10 the General Statutes. Rules adopted pursuant to this section shall become effective as provided
11 in G.S. 150B-21.3(b1), as though 10 or more written objections had been received as provided
12 in G.S. 150B-21.3(b2).

13 **SECTION 1.(e) Interim Application of Exemptions.** – Until the effective date of the
14 permanent rules that the Council is required to adopt pursuant to subsection (d) of this section,
15 the Council and local governments enforcing the Code shall not enforce the emergency responder
16 radio coverage requirements against buildings and structures that meet the exemption criteria
17 established in subsection (b) of this section, and shall apply the provisions regarding existing
18 systems established in subsection (c) of this section.

19 **SECTION 1.(f) Sunset.** – This section expires when permanent rules adopted as
20 required by subsection (d) of this section become effective.

21 **SECTION 2. Effective Date.** – This act is effective when it becomes law.