

NORTH CAROLINA STATE PORTS AUTHORITY
SAFETY AND SECURITY REGULATIONS

Be it resolved that pursuant to the authority vested in it by G.S. 136-269(c), the Board of the North Carolina State Ports Authority hereby adopts and records in its proceedings the following regulations governing traffic, parking, and the registration of motor vehicles and other regulations relating to the safety and welfare of persons using any and all properties owned and or controlled by the North Carolina State Ports Authority. From the date of filing of a copy of these regulations in the office of the Attorney General, the posting thereof in appropriate places on the port property and providing the appropriate signs, they shall apply to and be in effect on property owned or leased by the North Carolina State Ports Authority. By the adoption hereof, all other sections of regulations in conflict herewith are repealed.

SECTION 1 - DEFINITIONS

Statutory definitions – the definitions of all terms used in these regulations shall be those set forth in G.S. 20-4.01 and other applicable section of the General Statutes of North Carolina insofar as they are provided.

SECTION 2 - APPLICABILITY OF STATE LAWS

The laws of the State of North Carolina regulating the use of public streets and roadways shall apply to all streets, roads, driveways, alleyways, and open areas on the State Ports Terminals as if set forth herein.

SECTION 3 - TRAFFIC CONTROL DEVICES

3.1. - Placement and Maintenance – The North Carolina State Ports Authority shall cause to be placed and maintained traffic control signs, signals and devices when as required under the traffic regulations for all terminals to make effective provisions of said regulations, and may place and maintain such additional traffic control devices as they may deem necessary to regulate traffic under the traffic regulations of the two terminals or under state law, or to guide or warn traffic.

3.2. - Standards and Specifications – All traffic control signs, signals and devices shall conform to the specifications approved by the North Carolina Department of Transportation (NCDOT). All signs and signals required here for a particular purpose not defined by the NCDOT specifications, shall so far as practicable be uniform as to type and location throughout the terminals. All traffic control devices so established and not inconsistent with the provisions of state law or this regulation shall be official traffic control devices.

SECTION 4 - FIREARMS AND WEAPONS PROHIBITED

4.1. - It shall be unlawful for any person to possess, or carry whether openly or concealed, whether authorized as a Concealed Handgun Permit (HCP) person, regardless of the state of issue, any gun, rifle, pistol, dynamite cartridge, ammunition, bomb, grenade, mine, powerful explosive as defined in G.S. 14-284.1, bowie, knife, dirk, dagger, slingshot, leaded cane, switchblade knife, blackjack, metallic knuckles or any other weapon of like kind on any

terminal of the Ports Authority. For the purpose of this Section a self-opening or switch-blade knife is defined as knife containing a blade or blades which open automatically by the release of a spring or a similar contrivance, and the above "weapon of like kind" includes razors and razor blades (except solely for personal shaving) and any sharp or edged instrument except, unaltered nail files and clips and tools used solely for the performance of one's duty or occupation on the terminals. This section shall not apply to the following persons: Officers and enlisted personnel of the armed forces of the United States of America while carrying out their official duties and acting under orders requiring them to carry arms or weapons; civil officers of the United States while carrying out their official duties; officers of the state; or any county; city; or town including duly sworn special policemen in the employment of the Ports Authority, charged with the execution of the laws of the state, while carrying out their official duties. This section does not apply to commercial or military shipments of explosives, ammunition, weapons or other cargo authorized by the Department of Defense, Customs and Boarder Protection, or the United States Coast Guard.

4.2 – North Carolina State Ports Authority Police and Security Officers shall not hold nor store any of the above listed items for person(s) working, visiting or conducting business on port property other than for the purpose of a lawful seizure. Any weapon directed by a court order shall be returned to the lawful owner.

4.3 - Person(s) found in violation of this regulation may be charged under applicable North Carolina General Statutes.

SECTION 5 - ALCOHOLIC BEVERAGES PROHIBITED

5.1. - No person(s) shall be allowed to consume or possess any alcoholic beverage, as defined in G.S 18b-101., whether sealed or opened on property owned or leased by the Ports Authority.

5.2. - This section shall not apply to vehicles or persons delivering alcoholic beverages as part of a vessel's stores. Under this situation the alcoholic beverages shall be sealed and packaged for delivery to the vessel and be listed on a bill of lading or manifest as vessel stores to a specific vessel.

SECTION 6 - SPEED LIMITS AND USE OF HEADLIGHTS

6.1. - The following is a list of speed limits for the Wilmington Terminal.

All Main Streets	20 MPH
Inside all Transit and Storage Buildings	10 MPH
All open Berths	15 MPH

6.2. - The following is a list of speed limits for the Morehead City terminal.

All Streets, Alleyways, Open Areas	20 MPH
Inside all Transit and Storage Buildings	10 MPH

6.3. – At all times, all ports vehicles, privately owned vehicles and commercial vehicles shall use headlights while operating on port property. Reach stackers, Tyco trucks, power industrial trucks and public safety vehicles are exempt from this requirement.

SECTION 7 – STOPPING, STANDING, DRIVING AND PARKING

Sec. 7.1 - Stopping In Traffic Lanes.

No vehicle shall stop in any street, roadway, alleyway, wharf, dock, pier, except for the purpose of parking as prescribed in this chapter, unless such stop is made necessary by the approach of emergency response vehicles, by approach of a train, by the giving of traffic signals, the passing of some other vehicle or a pedestrian or by some emergency; and in any case covered by these exceptions. Such vehicles shall not stop so as to obstruct any fire exit door, warehouse door, footway, pedestrian aisle, and safety zone, street crossing or street intersection.

Sec. 7.2 - Standing In Traffic Lanes.

No person shall place or caused to be placed, a vehicle on any street so as to interrupt or interfere with the passage of public conveyances or other vehicles.

Sec. 7.3 – Driving and Parking in Unauthorized Areas.

Parking shall be in designated parking areas only. No person shall drive, stop, stand or cause a vehicle to be parked in a travel lane, on the wharf, dock, pier, inside warehouse, loading dock, transit shed, ramp, or all warehouse doors unless authorized by the Ports Police. North Carolina Ports vehicles carrying out official duties are exempt from this provision.

Sec. 7.4 – Towing of Vehicles.

Vehicles parked in violation of the foregoing regulations may be towed away at the owner's expense. This includes vehicles obstructing traffic from flowing in and out of any property owned or under the control of the North Carolina State Ports Authority.

Sec. 7.5 – Any person or persons found in violation of this port regulation shall be subject to a \$25.00 fine. Failure to pay this penalty within forty-eight (48) hours of the violation will result in the revocation of driving privileges on all property owned by or under the control of the North Carolina State Ports Authority. Civil penalties shall be paid to the Ports Authority Police Department.

SECTION 8 - CONTROL OF SMOKING

Sec. 8.1. – Smoking (including electronic cigarettes) will be permitted only within designated smoking areas.

Sec. 8.2. – Smoking (including electronic cigarettes) is prohibited in all transit sheds and warehouses on the two terminals.

Sec. 8.3. – Smoking (including electronic cigarettes) is prohibited on all of the berths on the two terminals whether owned, leased, or under the control of the North Carolina State Ports Authority.

SECTION 9 - FISHING ON OR FROM PORTS AUTHORITY PROPERTY PROHIBITED

No person(s) shall be allowed to fish, set traps or cast nets, from any pier, berth or land owned, leased, or under the control of the Ports Authority.

SECTION 10 - ANIMALS RUNNING AT LARGE

Sec. 10.1. - It shall be unlawful for a person owning or having custody of any animal to willfully permit or allow the animal to run at large on any property owned or controlled by the North Carolina State Ports Authority.

Sec. 10.2. - Any person or persons found in violation of this port regulation shall be subject to a \$25.00 fine and any applicable court costs.

SECTION 11 - PERSONAL PROTECTIVE EQUIPMENT

Sec. 11.1. - ANSI-2 compliant high visibility vest or shirt are required while on any part of the property owned or controlled by the North Carolina State Ports Authority in which operations are being conducted or vehicles are under operation including parking areas, streets or alleyways, inside warehouses or cargo storage areas, or while operating cargo equipment or vehicles. Certain jobs and locations may be exempt if other hazards are created by use of PPE.

Sec. 11.2. - An approved hard-hat or safety helmet is required while within 100 feet of any and all overhead operations to include use of cranes, top-loaders, straddle carriers, forklifts, front-end loaders, overhead conveyors, ship line handling, or any other operations involving cargo stacked or lifted overhead. Forklift and other equipment operators, while seated on equipment which is equipped with an overhead guard are exempt from this requirement so long as they remain seated underneath the guard.

Sec. 11.3. - Any person or persons on any property owned or controlled by the North Carolina State Ports Authority is required to wear safety shoes at all times. Motor carrier operators and contractors not directly employed by the North Carolina State Ports Authority are required to wear closed toe shoes at all times. Flip flops, sandals, clogs, or any other shoes which expose all or part of the feet are prohibited.

Sec. 11.4. - Fall protection is required for all work conducted above 4 feet from the ground. An approved safety harness must be worn and anchored to an appropriate anchor point at all times while working more than 4 feet above ground including work on top of train cars, cargo containers, buildings, or any other above ground work. Man lifts, scissor lifts, or lift baskets which are equipped with safety railings do not exempt persons from this requirement.

Sec. 11.5. - Additional safety equipment, including life jackets, respirators or other breathing protection, safety glasses or goggles, or any other piece of required personal protective equipment, must be worn in areas in which such a requirement has been clearly posted. Employees working over or near water, where the danger of drowning exists, shall wear a U.S. Coast Guard-approved life jacket or buoyant work vest.

Sec. 11.6. - Designated groups under supervision of North Carolina Ports may be exempt from wearing PPE as long as other safety protocols and risk mitigation measures are followed.

SECTION 12 – MOTOR CARRIER OPERATORS

Sec. 12.1. – All motor carrier operators are required to remain in their vehicle during cargo operations and while in areas designated for cargo operations unless otherwise directed by cargo personnel. Any adjustments to containers or cargo must be completed in the Container Interchange. In shipping and receiving, scale house, or other non-cargo areas motor carrier operators may be exempt from this requirement.

Sec. 12.2. – While waiting for cargo operations to begin, or while waiting for a loading dock or lane to become available, motor carrier operators must remain in their vehicle. Motor carrier operators are prohibited from loitering in any area outside of cargo areas adjacent to their vehicle or designated break rooms.

Sec. 12.3. – Motor carrier operators are prohibited from stopping in travel lanes to complete any preparatory actions such as adjusting axles, securing cargo, completing log books, etc. All preparatory actions must be completed in the Container Interchange prior to entering travel lanes.

SECTION 13 – RESTRICTED AREAS

Sec. 13.1. – It shall be unlawful for any unauthorized person to enter any part of property owned or under the control of the North Carolina State Ports Authority when such area is clearly marked restricted. Areas marked with signage or enclosed with traffic cones, police tape, jersey or concrete barriers, temporary fences, or any other barrier intended to prevent entry are considered to be clearly marked restricted.

Sec. 13.2. – It shall be unlawful for any unauthorized person to tamper with, move or reposition, damage, or otherwise cause to become ineffective, any sign or barrier used to indicate a restricted area. Barrier devices included under this section include traffic cones, police tape, jersey or concrete barriers, temporary fences, or any other barrier intended to prevent entry into a restricted area.

SECTION 14 – HOT WORK AND FUEL

Sec. 14.1. – A permit shall be required for all “Hot Work” including torch cutting, welding, burning, or any other work which poses an abnormally high fire risk while on any property owned or under the control of the North Carolina State Ports Authority.

Sec. 14.2. – Stored energy must be secured at all times prior to, during, or after “Hot Work.” For the purpose of this section, stored energy includes all acetylene, propane, or any other fuel tank used to facilitate high heat work. Such energy must be secured so as to prevent damage from falls or exposure to fire.

Sec. 14.3. – A permit shall be required for all fuel transfers to or from any vessel moored at any property owned or under the control of the North Carolina State Ports Authority.

Sec. 14.4. – It shall be the responsibility of the holder of a permit to transfer fuel to ensure that a reasonable containment area is established prior to beginning fuel operations in order to minimize the risk of fuel spills or fire.

Sec. 14.5. – Permits required under this section must be obtained from the North Carolina State Ports Authority Police Department, and all requirements listed on each permit must be met in order for permits to remain valid.

SECTION 15 – ELECTRONIC COMMUNICATION DEVICES

Sec. 15.1. – It shall be unlawful for the operator of any cargo equipment or vehicle including cranes, forklifts, top loaders, front end loaders, or operators of motor carrier vehicles, to use hand held and hands free electronic communication devices such as phones, radios, tablets, etc., while they are in control of any vehicle and the vehicle is in motion. Two way radios used solely to facilitate cargo operations are exempt from this section.

Sec. 15.2. – It shall be unlawful for any person or persons to use hand held and hands free electronic communication devices such as phones, radios, tablets, etc., during active cargo operations. This includes any spotter, line handler, person actively assisting crane operations, or persons within 25 feet of active cargo operations. Two way radios used solely to facilitate cargo operations are exempt from this section.

SECTION 16 – USE OF GOLF CARTS AND UTILITY VEHICLES ON PORT PROPERTY

It shall be unlawful for any person or persons to operate golf carts or utility vehicles on port property. Golf carts and utility vehicles used by North Carolina Ports employees under an operational or human resource provision are exempt from this section. Only street legal vehicles that are properly lighted, insured, licensed and registered shall be permitted to operate on port property.

SECTION 17 – GENERAL HOUSEKEEPING


It shall be unlawful for any person to leave garbage, rubbish, dunnage, damaged cargo, damaged equipment, excess materials, abandoned or inoperable vehicles anywhere on port property.

SECTION 18 – FINES & PENALTIES

Any person found in violation of any of the above listed regulations may be subject to a \$25 fine, revocation of driving privileges on properties owned or under the control of the North Carolina State Ports Authority, and/or revocation of access rights to any or all of the properties owned or under the control of the North Carolina State Ports Authority, or all of the above. Civil penalties for violations may be paid at the North Carolina State Ports Police Department and must be paid within 48 hours of issuance. Failure to pay may result in restricted access to the port.

**NORTH CAROLINA STATE PORTS AUTHORITY
SAFETY AND SECURITY REGULATIONS**

ADOPTED AND APPROVED this 21ST day of August, 2017



Paul J. Cozza
Executive Director
North Carolina State Ports Authority