

08 NCAC 10C .0102 is adopted with changes as published in 40:22 NCR 1791-1792 as follows:

08 NCAC 10C .0102 VOTING SITE BUFFER ZONES

(a) The voting place buffer zone at a voting site shall be ~~established~~ designated as follows:

- (1) Before each election, the county board of elections shall ~~adopt a resolution establishing~~ designate a voting place buffer zone at each voting site in the county in accordance with G.S. 163-166.4(a). When ~~adopting a resolution establishing~~ designating a voting place buffer zone, the county board shall take into account the physical layout and dimensions of the voting site, location of the entrances for ingress to and egress from the voting place, walkways voters will use to access the voting place at the voting site, parking areas at the voting site, and the electioneering zone ~~established~~ designated under Rule .0103 of this Subchapter and G.S. 163-166.4(b). If a voting place has multiple entrances, the county board shall ~~establish~~ designate a voting place buffer zone at each entrance. Notice of the ~~resolution~~ designation shall be given to the public in accordance with G.S. 163-166.4.
- (2) Prior to the start of voting, the chief judge or a judge designated by the chief judge shall mark the boundary of the voting place buffer zone consistent with the county board of election's ~~resolution~~ adopted designation made under Subparagraph (a)(1) of this Rule. The zone shall be marked or caused to be marked with signage, cones, rope, tape, or some other visible marker that the chief judge determines is appropriate for ensuring peace and good order at the voting place in accordance with 08 NCAC 10B .0101(b)(18) and (19) when taking into account the physical layout, dimensions, and parking areas of the voting site.

(b) The curbside voting zone and curbside buffer zone at a voting site shall be ~~established~~ designated as follows:

- (1) Before each election, the county board of elections shall ~~adopt a resolution establishing~~ designate a curbside voting zone at each voting site in the county. The curbside voting zone shall be sufficient in size to accommodate at least ~~two vehicles~~ one vehicle and measure not less than 150 square feet in area for voters to engage in the act of voting curbside in accordance with 08 NCAC 10B. 0108.
- (2) Before each election, the county board of elections shall ~~adopt a resolution establishing~~ designate a curbside buffer zone at each voting site in the county. The county board of elections shall establish the curbside buffer zone of a distance no less than 6 feet and no more than 15 feet as measured in a straight line from the nearest marked boundary of the curbside voting zone, taking into account the physical layout and dimensions of the voting site, parking areas, voting place buffer zone, and the electioneering zone at the voting site. Notice of the ~~resolution~~ designation shall be given to the public in accordance with G.S. 163-166.4.
- (3) Prior to the start of voting, the chief judge or a judge designated by the chief judge shall mark the boundary of the curbside voting zone and curbside buffer zone consistent with the county board of election's ~~resolution~~ adopted designation made under this Rule in the same manner as marking the voting place buffer zone under Subparagraph (a)(2) of this Rule.

1 (c) This rule shall not prevent the chief judge of the voting site from changing a boundary or location of a zone
2 designated under this Rule when that change is required because of circumstances at the voting site that make it
3 impractical to maintain the zone's designated boundary or location. Circumstances that may require a change in a
4 zone's boundary or location under this Paragraph include, but are not limited to, changes in the physical layout or
5 topography of the voting site, construction activities at the voting site, adverse weather, disruptions in access to the
6 voting place and voting site, and the safety of persons at the voting site. Notice of the change in a zone's boundary or
7 location at a voting site shall be given to the public in the same manner as the original designation within one business
8 day of the change.

9 *History Note: Authority G.S. 163-22; 163-48; 163-129; 163-166.4; 163-166.5; 163-166.6; 163-166.7; 163-166.9;*
10 *Eff. September 1, 2026.*

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