

08 NCAC 10C .0104 is adopted with changes as published in 40:22 NCR 1792-1793 as follows:

08 NCAC 10C .0104 CONDUCT AT VOTING SITES

(a) The chief judge and judges shall ensure peace and good order at the voting site in accordance with 08 NCAC 10B .0101 and G.S. 163-48 by requiring persons at the voting site to comply with this Rule. ~~This Rule applies to persons who are located on a portion of the voting site property that is subject to the control of the county board of elections and to persons who make or cause noise that is audible within the voting enclosure, regardless of their location.~~

(b) Persons at a voting site shall only engage in ~~election-related activities~~ the activities under G.S. 163-166.4(b) while in the designated electioneering zone.

(c) Noise and sound that is disruptive to the voting site shall be addressed by the chief judge or a judge as follows:

(1) No person outside of the voting place and at a voting site during the hours of voting shall make or cause any noise at a volume that is audible to the chief judge or a judge when that official is in the voting enclosure. If the chief judge or a judge determines that a person has made or is making a noise in violation of this Rule, and that noise is detected by the official for a duration of no less than one minute or on a repeated basis during the hours of voting, they shall inform the person that the noise is disrupting the orderly conduct of voting and the ability for persons to communicate when they are within the voting enclosure. The chief judge or judge shall require the person to decrease the volume such that it is no longer audible in the voting enclosure. For the purposes of this Rule, “audible” means any sound, or vibration that is caused by sound, that can be detected by a person using their unaided hearing faculties.

(2) No person outside of the voting place and at a voting site shall use a sound amplification device during the hours of voting. If the chief judge or a judge determines that a person at the voting site is using a sound amplification device in violation of this Rule, they shall inform the person that the use of the device is disrupting the orderly conduct of voting and the ability for persons to communicate when they are within the voting enclosure and electioneering zones. The chief judge or judge shall require the person to cease operation of the device and remove the device from the voting site. For the purposes of this Rule, “sound amplification device” means a mechanical or electronic device that increases a sound’s volume, including portable speakers, bullhorns, megaphones, public address systems, vehicle-mounted speakers or audio systems, and any vehicle’s internal audio system that is audible beyond the interior of the vehicle. A sound amplification device does not include a device that is used for accessibility or emergency purposes, or that is used by or at the request of the chief judge or a judge when facilitating the orderly conduct of voting at the voting site.

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