

GENERAL ASSEMBLY OF NORTH CAROLINA  
1991 SESSION

CHAPTER 21  
HOUSE BILL 111

AN ACT TO REMOVE THE SUNSET ON THE MUNICIPAL PARTICIPATION IN  
IMPROVEMENTS TO THE STATE HIGHWAY SYSTEM.

The General Assembly of North Carolina enacts:

Section 1. G.S. 136-66.3(f) reads as rewritten:

"(f) Municipalities having a population of less than 10,000 according to the most recent annual estimates of population as certified to the Secretary of Revenue by the State Budget Officer shall not participate in the right-of-way and construction costs of any State highway system improvement project approved by the Board of Transportation under G.S. 143B-350(f)(4).

Municipalities having a population of 10,000 or more according to the most recent annual estimates of population as certified to the Secretary of Revenue by the State Budget Officer may, but shall not be required by the Department or Board of Transportation, participate up to a maximum percentage as shown below in the cost of rights-of-way of the portion of any transportation improvement project approved by the Board of Transportation under G.S. 143B-350(f)(4) that is located within the municipal corporate limits:

Municipal Population	Maximum Participation In Right-of-Way Costs
10,000 - 25,000	5%
25,001 - 50,000	10%
50,001 - 100,000	15%
over 100,000	25%

~~This authority to allow a municipality to participate in the right of way costs of any transportation improvement project approved by the Board of Transportation under G.S. 143B-350 (f)(4) that is located within the municipal corporate limits shall expire on June 30, 1992.~~

Any participation shall be set forth in an agreement between the municipality and the Department of Transportation. Upon request of the municipality, the Department of Transportation shall allow the municipality a period of not less than three years from the date construction of the project is initiated to reimburse the Department their agreed upon share of the costs of rights-of-way necessary for the project. The Department of Transportation shall not charge a municipality any interest on its agreed upon share of

rights-of-way costs. The Secretary shall report in writing, on a monthly basis, to the Joint Legislative Commission on Governmental Operations on all agreements entered into between municipalities and the Department of Transportation. The report shall state in summary form the contents of such agreements."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 28th day of March, 1991.

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James C. Gardner  
President of the Senate

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Daniel Blue, Jr.  
Speaker of the House of Representatives