

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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SENATE BILL 1381*
Transportation Committee Substitute Adopted 6/20/06
House Committee Substitute Favorable 7/13/06
Fourth Edition Engrossed 7/18/06

Short Title: Repeal Toll Bridge Authority.

(Public)

Sponsors:

Referred to:

May 16, 2006

A BILL TO BE ENTITLED

AN ACT TO REPEAL THE NORTH CAROLINA BRIDGE AUTHORITY AND THE AUTHORIZATION FOR THE DEPARTMENT OF TRANSPORTATION TO ISSUE A PRIVATE PILOT TOLL PROJECT LICENSE, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, TO AUTHORIZE THE NORTH CAROLINA TURNPIKE AUTHORITY TO CONVERT A PORTION OF INTERSTATE 540 UNDER CONSTRUCTION IN WAKE AND DURHAM COUNTIES TO A TOLL FACILITY, TO REQUIRE REIMBURSEMENT FOR THE CONVERSION, AND TO GRANT THE TURNPIKE AUTHORITY RIGHT OF ENTRY FOR SURVEYS.

The General Assembly of North Carolina enacts:

SECTION 1. Article 6F of Chapter 136 of the General Statutes is repealed.

SECTION 2. Article 6G of Chapter 136 of the General Statutes is repealed.

SECTION 3. G.S. 136-89.187 reads as rewritten:

"§ 136-89.187. Conversion of free highways prohibited.

The Authority Board is prohibited from converting any segment of the nontolled State Highway System to a toll ~~facility~~-facility, except for a segment of Interstate 540 under construction as of July 1, 2006, located in Wake and Durham Counties, and extending from I-40 southwest to N.C. 55. The Authority shall reimburse the State for the construction cost of any segment converted to a toll route pursuant to this section. No segment may be converted to a toll route pursuant to this section unless first approved by the Metropolitan Planning Organization (MPO) or Rural Planning Organization (RPO) of the area in which that segment is located."

SECTION 4. G.S. 136-89.188 reads as rewritten:

"§ 136-89.188. Use of revenues.

1 (a) Revenues derived from Turnpike Projects authorized under this Article shall
2 be used only for Authority administration costs; Turnpike Project development,
3 right-of-way acquisition, construction, operation, and maintenance; and debt service on
4 the Authority's revenue bonds or related purposes such as the establishment of debt
5 service reserve funds.

6 (b) The Authority may use up to one hundred percent (100%) of the revenue
7 derived from a Turnpike Project for debt service on the Authority's revenue bonds or for
8 a combination of debt service and operation and maintenance expenses of the Turnpike
9 Projects.

10 (c) The Authority shall use not more than five percent (5%) of total revenue
11 derived from all Turnpike Projects for Authority administration costs.

12 (d) Notwithstanding the provisions of subsections (a) and (b) of this section, toll
13 revenues generated from a converted segment of State highway previously planned for
14 operation as a nontoll facility shall only be used for the funding or financing of the
15 construction, expansion, operations, maintenance, and Authority administration costs
16 associated with the converted segment or a contiguous toll facility."

17 **SECTION 5.** G.S. 136-89.194 is amended by adding a new subsection to
18 read:

19 "(d) Entry for Surveys. – The Turnpike Authority and its employees and
20 contractors shall have the same right of entry for surveys, borings, soundings, or
21 examinations as granted the Department of Transportation in G.S. 136-120."

22 **SECTION 6.** This act is effective when it becomes law.