

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

H

3

**HOUSE BILL 1005
Committee Substitute Favorable 5/7/09
Senate Appropriations/Base Budget Committee Substitute Adopted 7/2/09**

Short Title: DOT Participation in Fixed Rail Projects.

(Public)

Sponsors:

Referred to:

April 2, 2009

A BILL TO BE ENTITLED

1 AN ACT TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO PARTICIPATE
2 IN FUNDING FIXED RAIL PROJECTS THAT DO NOT INCLUDE FEDERAL FUNDS.

3
4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 136-44.20(b1) reads as rewritten:

6 "(b1) The Secretary may, subject to the appropriations made by the General Assembly for
7 any fiscal year, enter into State Full Funding Grant Agreements with a Regional Public
8 Transportation Authority (RPTA) duly created and existing pursuant to Article 26 of Chapter
9 160A, a Regional Transportation Authority (RTA) duly created and existing pursuant to Article
10 27 of Chapter 160A, or a city organized under the laws of this State as defined in
11 G.S. 160A-1(2), to provide State matching funds for "new start" fixed guideway projects in
12 development by any entity pursuant to 49 U.S.C. § 5309. These grant agreements shall be
13 executable only upon an Authority's or city's completion of and the Federal Transit
14 Administration (FTA) approval of Preliminary Engineering and Environmental Impact Studies
15 in anticipation of federal funding pursuant to 49 U.S.C. § 5309.

16 Prior to executing State Full Funding Grant Agreements, the Secretary shall submit
17 proposed grant agreements or amendments to the Joint Legislative Transportation Oversight
18 Committee for review. The agreements, consistent with federal guidance, shall define the limits
19 of the "new starts" projects within the State, commit maximum levels of State financial
20 participation, and establish terms and conditions of State financial participation.

21 State Full Funding Grant Agreements may provide for contribution of State funds in
22 multiyear allotments. The multiyear allotments shall be based upon the Department's estimates,
23 made in conjunction with an Authority or city, of the grant amount required for "new start"
24 project work to be performed in the appropriation fiscal year.

25 State funds may be used to fund fixed guideway projects developed without federal funding
26 by the Department, a Regional Public Transportation Authority (RPTA) duly created and
27 existing pursuant to Article 26 of Chapter 160A of the General Statutes, a Regional
28 Transportation Authority (RTA) duly created and existing pursuant to Article 27 of Chapter
29 160A of the General Statutes, or a unit of local government. In addition, State funds may be
30 used to pay administrative costs incurred by the Department while participating in such fixed
31 guideway projects."

32 **SECTION 2.** This act becomes effective July 1, 2009.

