

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1999

SESSION LAW 2000-123
SENATE BILL 1195

AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION, IN COOPERATION WITH LOCAL ELECTED OFFICIALS, TO ESTABLISH RURAL TRANSPORTATION PLANNING ORGANIZATIONS TO PLAN RURAL TRANSPORTATION SYSTEMS AND TO ADVISE THE DEPARTMENT ON RURAL TRANSPORTATION POLICY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 136-18 is amended by adding a new subdivision to read:

"(35) To establish rural planning organizations, as provided in Article 17 of this Chapter."

Section 2. Chapter 136 of the General Statutes is amended by adding a new Article to read:

"Article 17.

"Rural Transportation Planning Organizations.

"§ 136-210. Definitions.

As used in this Article, 'Rural Transportation Planning Organization' means a voluntary organization of local elected officials or their designees and representatives of local transportation systems formed by a memorandum of understanding with the Department of Transportation to work cooperatively with the Department to plan rural transportation systems and to advise the Department on rural transportation policy.

"§ 136-211. Department authorized to establish Rural Transportation Planning Organizations.

(a) Authorization. – The Department of Transportation is authorized to form Rural Transportation Planning Organizations.

(b) Area Represented. – Rural Transportation Planning Organizations shall include representatives from contiguous areas in three to fifteen counties, with a total population of the entire area represented of at least 50,000 persons according to the latest population estimate of the Office of State Planning. Areas already included in a Metropolitan Planning Organization shall not be included in the area represented by a Rural Transportation Planning Organization.

(c) Membership. – The Rural Transportation Planning Organization shall consist of local elected officials or their designees and representatives of local transportation systems in the area as agreed to by all parties in a memorandum of understanding.

(d) Formation; Memorandum of Understanding. – The Department shall notify local elected officials and representatives of local transportation systems around the State of the opportunity to form Rural Transportation Planning Organizations. The Department shall work cooperatively with interested local elected officials, their designees, and representatives of local transportation systems to develop a proposed area, membership, functions, and responsibilities of a Rural Transportation Planning Organization. The agreement of all parties shall be included in a memorandum of understanding approved by the membership of a proposed Rural Transportation Planning Organization and the Secretary of the Department of Transportation.

"§ 136-212. Duties of Rural Transportation Planning Organizations.

The duties of a Rural Transportation Planning Organization shall include, but not be limited to:

- (1) Developing, in cooperation with the Department, long-range local and regional multimodal transportation plans.
- (2) Providing a forum for public participation in the transportation planning process.
- (3) Developing and prioritizing suggestions for transportation projects the organization believes should be included in the State's Transportation Improvement Program.
- (4) Providing transportation-related information to local governments and other interested organizations and persons.

"§ 136-213. Administration and staff.

(a) Administrative Entity. – Each Rural Transportation Planning Organization, working in cooperation with the Department, shall select an appropriate administrative entity for the organization. Eligible administrative entities include, but are not limited to, regional economic development agencies, regional councils of government, chambers of commerce, and local governments.

(b) Professional Staff. – The Department, each Rural Transportation Planning Organization, and any adjacent Metropolitan Planning Organization shall cooperatively determine the appropriate professional planning staff needs of the organization.

(c) Funding. – If funds are appropriated for that purpose, the Department may make grants to Rural Transportation Planning Organizations for professional planning staff. The members of the Rural Transportation Planning Organization shall contribute at least twenty percent (20%) of the cost of any staff resources employed by the organization. The Department may make additional planning grants to economically distressed counties, as designated by the North Carolina Department of Commerce."

Section 3. Nothing in this act shall require the General Assembly to appropriate funds to implement it. Neither the Department of Transportation nor the General Assembly shall reallocate any road maintenance funds to implement this act.

Section 4. The Department shall report to the Joint Legislative Transportation Oversight Committee on the implementation of this act on or before December 1, 2000.

Section 5. This act becomes effective July 1, 2000.

In the General Assembly read three times and ratified this the 6th day of July, 2000.

s/ Marc Basnight
President Pro Tempore of the Senate

s/ James B. Black
Speaker of the House of Representatives

s/ James B. Hunt, Jr.
Governor

Approved 8:45 a.m. this 14th day of July, 2000