

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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HOUSE BILL 785
Committee Substitute Favorable 5/8/13

Short Title: Cost-Sharing/Transportation Improvements.

(Public)

Sponsors:

Referred to:

April 11, 2013

1 A BILL TO BE ENTITLED
2 AN ACT TO CREATE A STATEWIDE PILOT PROGRAM TO ENABLE COST-SHARING
3 FOR TRANSPORTATION IMPROVEMENTS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 136-28.6 is amended by adding three new subsections to read:
6 "**§ 136-28.6. Participation by the Department of Transportation with private developers.**

7 ...
8 (j) The Department is authorized to create a statewide pilot program for cost-sharing
9 with private developers for transportation improvements in circumstances where the nature of
10 the developer-constructed facilities, including circumstances where the improvements are
11 required to serve more than one project, or projects being constructed by other developers, are
12 atypical in size, scope, or complexity. The Department shall work in coordination with the
13 applicable Division Engineer and a technical working group that consists of industry experts
14 and members of the developmental community. In developing the pilot program, the
15 Department shall first create a Cost-Sharing Project Boundary Delineation that identifies the
16 properties captured in the pilot program that would be affected by the developer-constructed
17 facilities. The Department may create an allocation formula, and other procedures in
18 connection with the pilot program, that allow for the initial developer to be reimbursed as
19 secondary developers impact the system. The allocation formula shall uniformly evaluate the
20 value of transportation improvements and apportion costs equitably among the private property
21 developers based on the value of the transportation improvement they have constructed.

22 (k) Reimbursements shall be limited to payments from a developer constructing
23 transportation improvements at the time of driveway permit approval. Nothing in this section
24 shall obligate the Department to custodial responsibility for managing or distributing monies in
25 the application of this program.

26 (l) The Department shall report on the pilot program to the Joint Legislative
27 Commission on Governmental Operations and the Fiscal Research Division of the Legislative
28 Services Commission no later than the convening date of the 2021 Regular Session of the
29 General Assembly."

30 **SECTION 2.** This act becomes effective July 1, 2013.

