

May 10, 2000

S 1197. TOLL ROADS. TO AUTHORIZE CONSTRUCTION OF UP TO THREE PRIVATELY FUNDED AND THREE PUBLICLY FUNDED TOLL ROAD OR BRIDGE PROJECTS. Adds new Art. 6G to GS Ch. 136 to authorize the Dep't of Transportation (DOT) to issue up to three licenses to persons to construct a toll highway, road, bridge or other transportation-related facility after making a finding of need. Provides that the license period may not exceed 30 years at the conclusion of which the person must transfer all property rights to the project to the state. Authorizes the state or its designee to enter and use the project right-of-way for transportation and utility-related purposes during the license period. Allows DOT to establish other terms and conditions of any license issued. Requires the licensee, to the extent possible, to acquire all right-of-way interests through private negotiation. Provides that if the licensee cannot acquire the property at a reasonable price through private negotiation, DOT may exercise its power of eminent domain. Allows DOT to convey property it holds to the licensee at fair market value if the property is needed for the project. Exempts DOT from conflicting laws for the purpose of entering into contractual licensing agreements. Provides that any project licensed will be considered a highway and a public vehicular area and as such, the State Highway Patrol and the Division of Motor Vehicles will have their usual powers and duties on any such project. Requires DOT to get a resolution of support for the project from the county commissioners of each county in which the project will be located before issuing any license and provides that no further license other than the one issued by DOT will be required. Authorizes DOT to operate up to three toll transportation projects within the state. Requires DOT to report to the Joint Legislative Transportation Oversight Committee and to the Transportation Appropriations Subcommittee by Feb. 1, 2001. Expires July 1, 2003.

Intro. by Gulley.

Ref. to Finance	GS 136
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