

May 9, 2006

H 1825. DOT SECONDARY ROAD FORMULA CHANGE. Filed 5/9/06. *TO AMEND THE DEPARTMENT OF TRANSPORTATION SECONDARY ROAD CONSTRUCTION FORMULA, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.* As title indicates, amends GS 136-44.5(b) formula to provide that the percentage of available secondary road construction funds received by each county will be determined by the number of miles of paved and unpaved state-maintained secondary roads in the county divided by the total number of miles of paved and unpaved state-maintained secondary roads in the state (was, divided by the total number of miles of unpaved state-maintained secondary roads in the state). Effective July 1, 2006.

Intro. by Cole.

GS 136

July 11, 2006

H 1825. DOT SECONDARY ROAD FORMULA CHANGE. Filed 5/9/06. Senate amendment deletes all provisions of the 1st edition and replaces it with *AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO USE ALL FUNDS AVAILABLE FOR SECONDARY ROAD PAVING IN EACH DIVISION BY PROVIDING FOR THE PAVING OF THOSE PORTIONS OF SECONDARY ROADS WHICH ARE CURRENTLY WITHIN THE RIGHT-OF-WAY MAINTAINED BY THE DEPARTMENT.* Repeals SL 2005-404 (secondary road construction). Enacts new GS 136-44.5(e) to authorize funds allocated to a county in which there are unpaved roads that have unavailable rights-of-way or for which environmental permits cannot be approved to allow for paving to be used for improvements on any State secondary road in that county. Authorizes the Division Engineer to select unpaved secondary roads for which rights-of-way could not be acquired and use allocated funds to pave those portions of the unpaved roads within the right-of-way currently maintained by the Department of Transportation.

July 26, 2006

H 1825. DOT SECONDARY ROAD FORMULA CHANGE. Filed 5/9/06. Conference report recedes from Senate amendment #1 and recommends the following changes to the 1st edition to reconcile matters in controversy. Changes title to *AN ACT TO DELAY IMPLEMENTATION OF THE REVISED SECONDARY ROAD FORMULA TO JULY 1, 2007; TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO PAVE SECONDARY ROADS ON A REDUCED RIGHT-OF-WAY, IF THE DIVISION ENGINEER DETERMINES IT CAN BE DONE SAFELY; TO REQUIRE THAT THE DEPARTMENT OF TRANSPORTATION, BEGINNING IN THE 2006-2007 FISCAL YEAR AND UNTIL THE 2009-2010 FISCAL YEAR, SET ASIDE UP TO FIVE MILLION DOLLARS TO PAY FOR THE PAVING OF ANY UNPAVED SECONDARY ROAD THAT HAD PREVIOUSLY BEEN DETERMINED TO BE INELIGIBLE FOR PAVING; AND TO REQUIRE THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE TO STUDY THE COST OF ROADS IN DIFFERENT GEOGRAPHIC AREAS OF THE STATE.* Changes effective date of S.L. 2005-404 (secondary road construction) from July 1, 2006, to July 1, 2007. Amends GS 136-182 to: (1) require the Department of Transportation to make every effort to acquire right-of-way for purpose of paving unpaved state secondary roads in the annual secondary road program; (2) authorize the division engineer to reduce right of way width to less than 60 feet to pave unpaved secondary roads with allocated funds if the safety of the public is not compromised and the minimum accepted design practice is satisfied; and (3) effective July 1, 2007, require (was, allowed) DOT to set aside up to \$5 million beginning in 2006-07 and continuing until 2009-10 to pay for the paving of any unpaved secondary road previously determined to be ineligible for paving. Directs the Joint Legislative Transportation Oversight Committee to study the cost of paving and maintaining secondary roads in different geographic areas of the state and to complete its report by March 1, 2007. Changes the effective date of the amendments to the GS 136-44.5(b) apportionment formula set forth in 1st edition from July 1, 2006, to July 1, 2007.

September 14, 2006

SL 2006-258 (H 1825). DOT SECONDARY ROAD FORMULA CHANGE. AN ACT TO DELAY IMPLEMENTATION OF THE REVISED SECONDARY ROAD FORMULA TO JULY 1, 2007; TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO PAVE SECONDARY ROADS ON A REDUCED RIGHT-OF-WAY, IF THE DIVISION ENGINEER DETERMINES IT CAN BE DONE SAFELY; TO REQUIRE THAT THE DEPARTMENT OF TRANSPORTATION, BEGINNING IN THE 2006-2007 FISCAL YEAR AND UNTIL THE 2009-2010 FISCAL YEAR, SET ASIDE UP TO FIVE MILLION DOLLARS TO PAY FOR THE PAVING OF ANY UNPAVED SECONDARY ROAD THAT HAD PREVIOUSLY BEEN DETERMINED TO BE INELIGIBLE FOR PAVING; AND TO REQUIRE THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE TO STUDY THE COST OF PAVING AND MAINTENANCE OF PAVED AND UNPAVED SECONDARY ROADS IN DIFFERENT GEOGRAPHIC AREAS OF THE STATE. Summarized in *Daily Bulletin* 5/9/06, 7/11/06, and 7/26/06. Enacted August 23, 2006. Sections 2 and 4 are effective July 1, 2007. The remainder is effective August 23, 2006.