

April 17, 2007

**H 1559. CITY TRANSIT BENCH/SHELTER.** Filed 4/17/07. *AUTHORIZING TRANSIT SYSTEM BENCHES AND TRANSIT SYSTEM SHELTERS ON HIGHWAYS WITHIN CITIES.*

Enacts new GS 136-32.4 authorizing the placement of transit system shelters (which may include commercial advertisements) on the right-of-ways of public roads subject to the following conditions: (1) if the shelter is being placed on the right-of-way of a state or federal aid primary road, a permit must be issued by the Department of Transportation (DOT), conditioned upon the DOT's approval of the building plans and shelter location; (2) if the shelter is being placed on a right-of-way of a public road other than a state or federal aid primary road within a municipality, an application for permission must be made to the municipality; (3) as a condition of issuing a permit for placing a shelter on the right-of-way of a state or federal aid primary road, the shelter must be properly maintained and the shelter must meet listed location and other requirements, including provisions for the removal of the shelter for violations of the conditions. Provides that the section does not apply if DOT receives written notification from federal authorities that compliance will cause denial of federal money or would be inconsistent with federal law to the extent necessary to prevent the denial of the money or eliminate inconsistencies with federal law.

**Intro. by Cole.**

GS 136

May 23, 2007

**H 1559. CITY TRANSIT AMENITIES (NEW).** Filed 4/17/07. House committee substitute makes the following changes to 1st edition. Changes title to *AN ACT AUTHORIZING TRANSIT AMENITIES ON HIGHWAYS WITHIN CITIES*. Modifies proposed new GS 136-32.4(a) to: (1) define transit system amenities as a transit shelter or bench with a trash or recycling bin or stand-alone trash or recycling bin, located at transit stops for the convenience of passengers of public transportation systems owned and operated by governmental units or public authorities; and (2) add back-lit signs to the definition of commercial advertisement. Revises GS 136-32.4(b) to (1) delete the presence or absence of gutters as a factor affecting minimum clearance requirements; (2) require amenities on public road rights-of-way to comply with any existing setback requirements for similar structures; and (3) clarify that the transit system amenity may be removed if it violates any provision of GS 136-32.4(b). Makes technical and conforming changes.