

May 20, 2008

**H 2363. CONGESTION RELIEF/INTERMODAL TRANSPORT FUND.** Filed 5/20/08. TO ESTABLISH A CONGESTION RELIEF AND INTERMODAL TRANSPORTATION 21ST CENTURY FUND, TO PROVIDE FOR ALLOCATION OF THOSE FUNDS TO: (1) LOCAL GOVERNMENTS AND TRANSPORTATION AUTHORITIES FOR PUBLIC TRANSPORTATION PURPOSES, (2) SHORT-LINE RAILROADS, FOR ASSISTANCE IN MAINTAINING AND EXPANDING FREIGHT SERVICE STATEWIDE, (3) RAILROADS FOR INTERMODAL FACILITIES, MULTIMODAL FACILITIES, AND INLAND PORTS, (4) MAKE CAPITAL IMPROVEMENTS ON RAIL LINES TO ALLOW IMPROVED FREIGHT SERVICE TO THE PORTS AND MILITARY INSTALLATIONS, (5) EXPAND INTERCITY PASSENGER RAIL SERVICE, AND TO EXTEND COMMON LEVELS OF LOCAL TRANSIT FUNDING AUTHORIZATION TO THREE URBAN REGIONS, AND ALLOW OTHER LOCAL GOVERNMENTS SIMILAR OPTIONS FOR LOCAL TRANSIT FUNDING, AND TO EXTEND THE STATE PORTS TAX CREDIT, ALL AS RECOMMENDED BY THE 21ST CENTURY TRANSPORTATION COMMITTEE.

To be summarized in tomorrow's *Daily Bulletin*.

**Intro. by Carney, Allen, Ross, Harrison.**

GS 105, 136

May 21, 2008

**H 2363. CONGESTION RELIEF/INTERMODAL TRANSPORT FUND.** Filed 5/20/08. TO ESTABLISH A CONGESTION RELIEF AND INTERMODAL TRANSPORTATION 21ST CENTURY FUND, TO PROVIDE FOR ALLOCATION OF THOSE FUNDS TO: (1) LOCAL GOVERNMENTS AND TRANSPORTATION AUTHORITIES FOR PUBLIC TRANSPORTATION PURPOSES, (2) SHORT-LINE RAILROADS, FOR ASSISTANCE IN MAINTAINING AND EXPANDING FREIGHT SERVICE STATEWIDE, (3) RAILROADS FOR INTERMODAL FACILITIES, MULTIMODAL FACILITIES, AND INLAND PORTS, (4) MAKE CAPITAL IMPROVEMENTS ON RAIL LINES TO ALLOW IMPROVED FREIGHT SERVICE TO THE PORTS AND MILITARY INSTALLATIONS, (5) EXPAND INTERCITY PASSENGER RAIL SERVICE, AND TO EXTEND COMMON LEVELS OF LOCAL TRANSIT FUNDING AUTHORIZATION TO THREE URBAN REGIONS, AND ALLOW OTHER LOCAL GOVERNMENTS SIMILAR OPTIONS FOR LOCAL TRANSIT FUNDING, AND TO EXTEND THE STATE PORTS TAX CREDIT, ALL AS RECOMMENDED BY THE 21ST CENTURY TRANSPORTATION COMMITTEE.

**I. Congestion Relief and Intermodal 21st Century Transportation Fund**

Enacts new GS Chapter 136, Article 19, to create the Congestion Relief and Intermodal 21st Century Transportation Fund in and authorizes the fund to provide grants to cities, counties, regional public transportation authorities, and regional transportation authorities for public transportation purposes, including planning and engineering. Establishes requirements for grant approval: (1) the grant application be approved by all metropolitan planning organizations whose jurisdiction includes any of the service area of the grant applicant, (2) the applicant must have approved a transit plan that includes local planning policies and reasonably supports transit ridership and appropriate land use, and (3) the applicant must have an adequate and sustainable source of funding for its share of project costs. Provides that no grant under this section may exceed 25% of the cost of the project, and requires grants to be matched by an equal or greater amount of funds.

Also authorizes the fund to provide grants to state agencies and railroads for specified purposes. (1) Short line railroad grants: Provides that grants may be made for assistance to short line railroads to assist in economic development and access to ports and military installations. Such grants may not exceed 50% of the nonfederal share of the project, and must be matched by an equal or greater amount of funds. The total amount of grants providing assistance to short line railroads may not exceed \$5 million per fiscal year. (2) Railroad grants: Provides that grants may be made for assistance to any railroad in construction of (i) rail improvements and restorations and intermodal or multimodal facilities to serve ports and military installations, and (ii) inland ports to reduce truck traffic on highways. Such grants may not exceed 50% of the nonfederal share of the project, and must be matched by an equal or greater amount of funds. The total amount of

grants providing assistance to railroads for these purposes may not exceed \$10 million per fiscal year. (3) State ports railroad grants: Provides that grants may be made for assistance to the state ports in terminal railroad facilities. Such grants may not exceed 50% of the nonfederal share of the project, and must be matched by an equal or greater amount of funds. The total amount of state ports railroad grants may not exceed \$10 million per fiscal year. (4) Intercity passenger rail services: Provides that grants may be made for expansion of intercity passenger rail service. There is no matching requirement or cap on the amount of these grants.

Provides that all grants are subject to approval of the Board of Transportation.

## **II. Public Transportation Sales Tax**

Makes technical corrections to the Mecklenburg county transit tax.

Allows Wake, Durham, and Orange counties to levy a ½% sales tax for public transportation purposes, with the approval of the applicable board or boards of commissioners, the board of the Triangle Transit Authority, and the voters in a referendum.

Allows Forsyth and Guilford counties to levy a ½% sales tax for public transportation purposes, with the approval of the applicable board or boards of commissioners, the board of the Piedmont Authority for Regional Transportation, and the voters in a referendum.

Allows Alamance, Davidson, Davie, Randolph, Rockingham, Surry, Stokes, and Yadkin counties to levy a ¼% sales tax for public transportation purposes, with the approval of the applicable board or boards of commissioners, the board of the Piedmont Authority for Regional Transportation, and the voters in a referendum.

Provides that in any multi-county referendum the total vote in all the counties determines the result. If a tax is levied after a favorable referendum in less than all the eligible counties, other eligible counties can be added later with approval of the applicable board of commissioners, the applicable transportation authority, and the voters of the county being added.

Allows a single-county ¼% sales tax to be levied for public transportation services after a favorable referendum in any county contiguous to Mecklenburg (Cabarrus, Gaston, Iredell, Lincoln, or Union), in any county contiguous to Durham, Orange or Wake (Caswell, Chatham, Franklin, Granville, Harnett, Johnston, Lee, Nash, or Person), or any county with a population of 160,000 or more.

## **III. Extension of Vehicle Registration Charge to Mecklenburg County**

Extends to Mecklenburg County the authority to levy a vehicle registration fee, as provided in 1991 for Transit Authority and in 1997 for Piedmont Authority for Regional Transportation.

## **IV. Local Vehicle Registration Charge Adjusted for Inflation**

Raises the cap on the vehicle registration fee that may be levied by Triangle Transit Authority, the Piedmont Authority for Regional Transportation, and Mecklenburg County from \$5.00 to \$7.00.

## **V. Extension of Vehicle Registration Charge and Motor Vehicle Rental Charge to Other Urban Counties**

Enacts new GS Chapter 105, Article 52, Urban County Vehicle Rental Tax and Registration Tax. Extends the authority to levy a motor vehicle registration fee of up to \$7.00 to any county contiguous to Mecklenburg, Durham, Orange, or Wake counties, as well as any county with a population of 160,000 or more, to operate a public transportation system. Authorizes those counties to levy a motor vehicle rental charge of up to 5% for the same purposes.

## **VI. Extension of State Ports Tax Credit**

Changes the sunset date for the state ports tax credit from January 1, 2009, to January 1, 2014.

**Intro. by Carney, Allen, Ross, Harrison.**

GS 105, 136

May 22, 2008

**H 2363. CONGESTION RELIEF/INTERMODAL TRANSPORT FUND.** Filed 5/20/08. *TO ESTABLISH A CONGESTION RELIEF AND INTERMODAL TRANSPORTATION 21ST CENTURY FUND, TO PROVIDE FOR ALLOCATION OF THOSE FUNDS TO: (1) LOCAL GOVERNMENTS AND TRANSPORTATION AUTHORITIES FOR PUBLIC TRANSPORTATION PURPOSES, (2) SHORT-LINE RAILROADS, FOR ASSISTANCE IN MAINTAINING AND EXPANDING FREIGHT SERVICE STATEWIDE, (3) RAILROADS FOR INTERMODAL*

*FACILITIES, MULTIMODAL FACILITIES, AND INLAND PORTS, (4) MAKE CAPITAL IMPROVEMENTS ON RAIL LINES TO ALLOW IMPROVED FREIGHT SERVICE TO THE PORTS AND MILITARY INSTALLATIONS, (5) EXPAND INTERCITY PASSENGER RAIL SERVICE, AND TO EXTEND COMMON LEVELS OF LOCAL TRANSIT FUNDING AUTHORIZATION TO THREE URBAN REGIONS, AND ALLOW OTHER LOCAL GOVERNMENTS SIMILAR OPTIONS FOR LOCAL TRANSIT FUNDING, AND TO EXTEND THE STATE PORTS TAX CREDIT, ALL AS RECOMMENDED BY THE 21ST CENTURY TRANSPORTATION COMMITTEE.*

#### **I. Congestion Relief and Intermodal 21st Century Transportation Fund**

Enacts new GS Chapter 136, Article 19, to create the Congestion Relief and Intermodal 21st Century Transportation Fund in the state treasury. Authorizes the fund to provide grants to cities, counties, regional public transportation authorities, and regional transportation authorities for public transportation purposes, including planning and engineering. Establishes the following requirements for grant approval: (1) the grant application be approved by all metropolitan planning organizations whose jurisdiction includes any of the service area of the grant applicant, (2) the applicant must have approved a transit plan that includes local planning policies and reasonably supports transit ridership and appropriate land use, and (3) the applicant must have an adequate and sustainable source of funding for its share of project costs. Provides that no grant under this section may exceed 25% of the cost of the project, and requires grants to be matched by an equal or greater amount of funds. Also allows grants to be committed for a multiyear basis and requires the Board of Transportation to approve and amend a rolling multiyear projection of up to 15 years for allocation of funds. Provides that applicants eligible under the 15-year plan projection are not eligible to receive more than one-third of the total funds to be granted during that 15 year period.

Also authorizes the fund to provide grants to state agencies and railroads for the following specified purposes. (1) Short line railroad grants: Provides that grants may be made for assistance to short line railroads to assist in economic development and access to ports and military installations. Such grants may not exceed 50% of the nonfederal share of the project, and must be matched by an equal or greater amount of funds. The total amount of grants providing assistance to short line railroads may not exceed \$5 million per fiscal year. (2) Railroad grants: Provides that grants may be made for assistance to any railroad in construction of (i) rail improvements and restorations and intermodal or multimodal facilities to serve ports and military installations, and (ii) inland ports to reduce truck traffic on highways. Such grants may not exceed 50% of the nonfederal share of the project, and must be matched by an equal or greater amount of funds. The total amount of grants providing assistance to railroads for these purposes may not exceed \$10 million per fiscal year. (3) State ports railroad grants: Provides that grants may be made for assistance to the state ports in terminal railroad facilities and operations, and to improve access to military installation, and to the North Carolina International Terminal. Such grants may not exceed 50% of the nonfederal share of the project, and must be matched by an equal or greater amount of funds. The total amount of state ports railroad grants may not exceed \$10 million per fiscal year. (4) Intercity passenger rail services: Provides that grants may be made for expansion of intercity passenger rail service. There is no matching requirement or cap on the amount of these grants.

Provides that all grants are subject to approval of the Board of Transportation.

#### **II. Public Transportation Sales Tax**

Recodifies and makes technical corrections to the Mecklenburg county transit tax.

Allows Wake, Durham, and Orange counties to levy a ½% sales tax for public transportation purposes, after the approval of a financial plan by the applicable board or boards of commissioners and the board of the Triangle Transit Authority, and approval of the tax by the voters in a referendum.

Allows Forsyth and Guilford counties to levy a ½% sales tax for public transportation purposes, after the approval of a financial plan by the applicable board or boards of commissioners and the board of the Piedmont Authority for Regional Transportation, and approval of the tax by the voters in a referendum.

Provides that the net proceeds of the tax are to be allocated to each transportation authority within the special tax district and that the authority must expend the proceeds in accordance with its financial plan.

Allows Alamance, Davidson, Davie, Randolph, Rockingham, Surry, Stokes, and Yadkin counties to levy a ¼% sales tax for public transportation purposes, with the approval of the applicable board or boards of commissioners, the board of the Piedmont Authority for Regional Transportation, and the voters in a referendum.

Provides that in any multi-county referendum the total vote in all the counties determines the result. If a tax is levied after a favorable referendum in less than all the eligible counties, other eligible counties can be added later with approval of the applicable board of commissioners, the applicable transportation authority, and the voters of the county being added.

Allows a single-county ¼% sales tax to be levied for public transportation services after a favorable referendum in any county contiguous to Mecklenburg (Cabarrus, Gaston, Iredell, Lincoln, or Union), in any county contiguous to Durham, Orange or Wake (Caswell, Chatham, Franklin, Granville, Harnett, Johnston, Lee, Nash, or Person), or any county with a population of 160,000 or more.

### **III. Extension of Vehicle Registration Charge to Mecklenburg County**

Extends to Mecklenburg County the authority to levy a vehicle registration fee, as provided in 1991 for Transit Authority and in 1997 for Piedmont Authority for Regional Transportation.

### **IV. Local Vehicle Registration Charge Adjusted for Inflation'**

Raises the cap on the vehicle registration fee that may be levied by Triangle Transit Authority, the Piedmont Authority for Regional Transportation, and Mecklenburg County from \$5.00 to \$7.00.

### **V. Extension of Vehicle Registration Charge and Motor Vehicle Rental Charge to Other Urban Counties**

Enacts new GS Chapter 105, Article 52, Urban County Vehicle Rental Tax and Registration Tax. Extends the authority to levy a motor vehicle rental tax of up to 5% to any county that is not contiguous to Mecklenburg, Durham, Orange, or Wake counties, that is not a member of a regional transportation authority created under Article 27 of GS Chapter 160 A, and that has a population of 160,000 or more, to operate a public transportation system. This would currently cover only Buncombe, Cumberland, and New Hanover Counties.

Enacts new GS 105-558 to extend the authority to levy a motor vehicle registration tax of up to \$7.00 to any county contiguous to Durham, Mecklenburg, Orange, or Wake counties, as well as any county with a population of 160,000 or more to operate a public transportation system.

### **VI. Extension of State Ports Tax Credit**

Changes the sunset date for the state ports tax credit from January 1, 2009, to January 1, 2014.

**Intro. by Carney, Allen, Ross, Harrison.**

GS 105, 136