

May 13, 2010

S 1159. DOT POWERS AND DUTIES CHANGES. Filed 5/13/10. *TO ELIMINATE A DEPARTMENT OF TRANSPORTATION REPORT ON THE CONDITION OF ITS BUILDINGS; CORRECT A STATUTORY REFERENCE TO THE DEPARTMENT OF TRANSPORTATION'S CHIEF FINANCIAL OFFICER; ELIMINATE STATUTORY REFERENCES TO A SEVEN-YEAR TRANSPORTATION IMPROVEMENT PROGRAM; CLARIFY THAT THE DEPARTMENT OF TRANSPORTATION HAS AUTHORITY AND GENERAL SUPERVISION OVER ALL TRANSPORTATION PROJECTS; PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION HAS AUTHORITY TO ENTER INTO AGREEMENTS WITH LOCAL GOVERNMENTS TO RECEIVE FUNDS FOR RIGHT-OF-WAY ACQUISITION; UPDATE STATUTORY REFERENCES TO THE NORTH CAROLINA TURNPIKE AUTHORITY; ELIMINATE A DEPARTMENT OF TRANSPORTATION REPORT ON ACCESS TO COASTAL WATERS; REVISE THE STATUTES GOVERNING THE DEPARTMENT OF TRANSPORTATION'S DISADVANTAGED MINORITY-OWNED AND WOMEN-OWNED BUSINESS PROGRAM; MODIFY THE EFFECT OF MUNICIPAL PARTICIPATION ON DEPARTMENT OF TRANSPORTATION PROJECTS; AND TRANSFER TO THE SECRETARY THE POWER TO PROMULGATE DEPARTMENT OF TRANSPORTATION RULES, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.*

Repeals GS 136-11, which requires an annual report to the Governor on Department (Department) of Transportation finances and the physical condition of its buildings and properties; eliminates annual report on expanding access to coastal waters from GS 136-18(40). Amends GS 136-17.2A, GS 136-18, and GS 143B-350(f)(4) to remove specific seven-year period for Transportation Improvement Plan. Amends GS 136-18 and GS 136-28.4 to modernize references from state highways to state transportation projects and infrastructure. Amends GS 136-18(38) to allow agreements with local governments and nonprofit corporations for advancing right-of-way acquisition in addition to advancing construction schedules. Amends GS 136-28.4 to revise schedule for setting aspirational goals and making reports on use of minority and women owned businesses. Amends GS 136-66.3 to eliminate provisions (1) that local government participation in a project shall not disadvantage any other transportation project and (2) that prohibit increasing total funding for highway construction in those local jurisdictions that participate in project funding. Amends GS 143B-348 to specify that Secretary of the Department is vested with authority to promulgate rules, regulations, and ordinances concerning all transportation functions assigned to the Department and repeals GS 143B-350(f)(13) previously allocating that responsibility to Board of Transportation. Makes other technical and conforming amendments.

Intro. by Goss.

GS 136, 143B, 159