

March 23, 2009

S 758. TRANSFER SECONDARY ROADS TO COUNTIES. Filed 3/23/09. *TO REMOVE THE SECONDARY ROADS FROM THE STATE HIGHWAY SYSTEM AND TO TRANSFER THE RESPONSIBILITY FOR CONSTRUCTION AND MAINTENANCE OF SECONDARY ROADS TO COUNTIES.*

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

Intro. by Rucho.

GS 136, 143, 153A

March 24, 2009

S 758. TRANSFER SECONDARY ROADS TO COUNTIES. Filed 3/23/09. *TO REMOVE THE SECONDARY ROADS FROM THE STATE HIGHWAY SYSTEM AND TO TRANSFER THE RESPONSIBILITY FOR CONSTRUCTION AND MAINTENANCE OF SECONDARY ROADS TO COUNTIES.*

Deletes from GS 136-45 language expressing that among the purposes of laws creating the Department of Transportation (DOT) is the purpose to relieve counties and cities of the burden of constructing, repairing, and maintaining highways. Amends GS 136-44.1 to limit DOT duty to developing and maintaining a statewide system of roads and highways to a system of *primary* roads and highways. Amends GS 136-44.2 to require the transfer to counties of funds appropriated in the state budget for the construction, improvement, and maintenance of secondary roads. Amends GS 136-44.6 to provide that the funds allocated by DOT to counties for secondary roads may be used for construction and improvement (was, only maintenance), and to require, by April 1, 2011, that road-maintenance funds be paid in cash to counties by April 1 of each year. Grants boards of commissioners authority to issue certificate of approval for new subdivision streets by amending GS 136-102.6. Amends GS 136-176(b), regarding the allocation of funds in the Highway Trust Fund, to move the secondary road allocation to the allocation for the Interstate system and debt services under the State Highway Bond Act of 1996.

Repeals GS 136-44.5 which requires DOT to allocate funds to counties for secondary road construction based on the number of miles of paved and unpaved secondary roads in each county. Repeals GS 136-44.7, which requires DOT to develop criteria and annual work programs for the construction and maintenance of secondary roads, to prioritize such projects, and to negotiate necessary rights-of-way. Amends GS 136-18 to make DOT powers regarding maintenance of roads and removal of dead animals from roads applicable to primary roads only and to remove authority to require deceleration and acceleration lanes for driveway connections to secondary roads. Deletes language in GS 136-30.1 requiring DOT to mark center lines and edge lines on secondary roads with traffic volume averaging 100 vehicles per day or more. Repeals GS 153A-205, which authorizes counties to finance improvements under the supervision of the DOT to subdivision or residential streets. Repeals or amends several provisions related to the interaction of boards of commissioners with the DOT. Makes conforming changes to GS 136-11.1, GS 136-44.2A, GS 136-44.2C, GS 136-44.3, GS 136-44.7A, GS 136-44.10, GS 136-63, GS 136-64, GS 136-64.1, GS 136-67, GS 136-89.53, GS 136-89.55, GS 136-66.1, GS 136-98, GS 136-184, and GS 143-116.8. Effective January 1, 2011.

Intro. by Rucho.

GS 136, 143, 153A