

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2021

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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH30172-MH-29

Short Title: Statewide Commuter Rail Study. (Public)

Sponsors: Representative Alston.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO CREATE THE JOINT LEGISLATIVE STUDY COMMITTEE ON COMMUTER  
3 RAIL.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.(a)** LSC Study of Statewide Commuter Rail. – There is created the Joint  
6 Legislative Study Committee on Statewide Commuter Rail. The Committee shall consist of 18  
7 members to be appointed as follows:

8 (1) Nine members of the House of Representatives appointed by the Speaker of  
9 the House of Representatives.

10 (2) Nine members of the Senate appointed by the President Pro Tempore of the  
11 Senate.

12 Vacancies on the Commission shall be filled by the appointing authority. The  
13 President Pro Tempore of the Senate and the Speaker of the House of Representatives shall each  
14 designate a cochair. A quorum of the Commission shall be a majority of its members. The  
15 Committee may meet at any time upon the joint call of the cochairs in the Legislative Building  
16 or the Legislative Office Building.

17 **SECTION 1.(b)** Study. – The Committee shall develop a statewide strategic vision  
18 for commuter rail that efficiently integrates freight, passenger, and commuter rail uses to  
19 encourage increases in passenger rail traffic as a share of overall transportation. As part of its  
20 study, the Committee will do all of the following:

21 (1) Provide opportunity for public engagement.

22 (2) Develop a commuter rail plan to integrate all uses of fixed rail within the State  
23 that implements best practices, including integration with all of the following:

24 a. The recommendations pertaining to rail of the 2021 NC FIRST  
25 Commission.

26 b. The Comprehensive State Rail Plan.

27 c. Other long-range transportation plans created by the Department of  
28 Transportation.

29 d. Long-term and short-term regional transportation plans developed by  
30 the State's Metropolitan and Rural Planning Organizations and  
31 regional transit authorities.

32 (3) Evaluate all of the following:

33 a. Potential rail alignments and ridership as well as impacts on traffic  
34 congestion and other environmental benefits.

35 b. The use of emerging technologies to enhance rail capacity, safety, and  
36 speed.



- 1 c. How to better integrate commuter rail long-range planning with local
- 2 government partners and with other Divisions and programs of the
- 3 Department of Transportation.
- 4 d. How to maximize transit-oriented development opportunities.
- 5 e. Potential funding sources and funding challenges at State and local
- 6 levels.
- 7 f. Opportunities and challenges for public and private economic
- 8 development partners, including a review of case studies of other
- 9 successful commuter rail projects completed in the United States over
- 10 the past 10 years.
- 11 g. Legal issues related to the implementation of new commuter rail
- 12 services in rail corridors not owned by the State.
- 13 h. The use and availability of railroad facilities owned by the State but
- 14 otherwise controlled by a private corporation to prioritize passenger
- 15 service and whether such prioritization would impact the ability of
- 16 freight operators to serve current and projected rail freight business.
- 17 i. Suggestions for reasonable insurance, liability, and indemnity
- 18 requirements to be imposed by State-owned and private railroads for
- 19 commuter rail operators that are not a barrier to the development of
- 20 new commuter rail service.
- 21 j. The use of tax incentives for non-State-owned railroads to create
- 22 incentives for cooperation with the construction of new rail passenger
- 23 services and related development.
- 24 k. Additional resources and personnel needed within the Rail Division of
- 25 the Department of Transportation to support acceleration of commuter
- 26 rail planning and deployment statewide.

27 **SECTION 1.(c) Powers.** – The Committee, while in the discharge of its official  
28 duties, may exercise all powers provided for under G.S. 120-19 and G.S. 120-19.1 through  
29 G.S. 120-19.4, including the power to request all officers, agents, agencies, and departments of  
30 the State to provide any information, data, or documents within their possession, ascertainable  
31 from their records, or otherwise available to them.

32 **SECTION 1.(d) Staffing.** – The Legislative Services Commission, through the  
33 Legislative Services Officer, shall assign professional staff to assist the Committee in its work.  
34 The Directors of Legislative Assistants of the Senate and of the House of Representatives shall  
35 assign clerical staff to the Committee, and the expenses relating to the clerical employees shall  
36 be borne by the Committee. Members of the Committee shall receive subsistence and travel  
37 expenses at the rates set forth in G.S. 120-3.1.

38 **SECTION 2. Report.** – The Committee shall make an interim report to the 2021  
39 General Assembly when it reconvenes in 2022. The Committee shall make a final report,  
40 including findings and legislative recommendations, to the 2023 General Assembly. The  
41 Committee shall terminate upon filing its final report or upon the convening of the 2023 General  
42 Assembly, whichever is earlier.

43 **SECTION 3.** The work of the Study Committee established by this act is not  
44 intended to preempt or delay any ongoing studies or projects involving commuter rail undertaken  
45 by units of local government.

46 **SECTION 4.** This act is effective when it becomes law.