

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 1112

Short Title: Major Event Traffic Control Funds.

(Public)

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Sponsors: Senators Plyler and Conder.

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Referred to: Transportation.

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June 2, 1992

A BILL TO BE ENTITLED

AN ACT TO FUND TRAFFIC CONTROL AT MAJOR EVENTS FROM THE  
CURRENT OPERATIONS-HIGHWAY FUND FOR STATE MAINTENANCE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-79.7 reads as rewritten:

**"§ 20-79.7. Special Registration Plate Fund.**

(a) Fund. – The Special Registration Plate Fund is established. The Fund consists of the revenue derived from one-half of the additional fee collected for a personalized registration plate and all of the additional fee collected for any other special registration plate issued under G.S. 20-79.4. The Commissioner shall deduct the costs of the registration plates, including the costs of issuing, handling, and advertising the availability of the special plates from the Fund.

~~(b) Initial Distribution of Proceeds. — After deducting the costs of the special registration plates from the Fund, the Secretary of Transportation may allocate and reserve up to one hundred thousand dollars (\$100,000) to the Department of Transportation each fiscal year for the purpose of traffic control at major events as provided for by G.S. 136-44.2. Any funds allocated for traffic control that are neither used nor obligated at the end of the fiscal year shall remain in the Fund and be used in accordance with subsection (c) of this section.~~

(c) Use of ~~Remaining Proceeds~~ Funds. – The ~~remaining~~ revenue in the Fund shall be transferred quarterly as follows:

- (1) Thirty-three percent (33%) to the account of the Department of Economic and Community Development to aid in financing out-of-

1 state print and other media advertising under the program for the  
2 promotion of travel and industrial development in this State.

3 (2) Fifty percent (50%) to the Department of Transportation to be used  
4 solely for the purpose of beautification of highways other than those  
5 designated as interstate. These funds shall be administered by the  
6 Department of Transportation for beautification purposes not  
7 inconsistent with good landscaping and engineering principles.

8 (3) Seventeen percent (17%) to the account of the Department of Human  
9 Resources to promote travel accessibility for disabled persons in this  
10 State. These funds shall be used to collect and update site information  
11 on travel attractions designated by the Department of Economic and  
12 Community Development in its publications, to provide technical  
13 assistance to travel attractions concerning accommodation of disabled  
14 tourists, and to develop, print, and promote the publication ACCESS  
15 NORTH CAROLINA as provided in G.S.168-2. Any funds allocated  
16 for these purposes that are neither spent nor obligated at the end of the  
17 fiscal year shall be transferred to the Department of Administration for  
18 removal of man-made barriers to disabled travelers at State-funded  
19 travel attractions. Guidelines for the removal of man-made barriers  
20 shall be developed in consultation with the Department of Human  
21 Resources."

22 Sec. 2. G.S. 136-44.2 reads as rewritten:

23 **"§ 136-44.2. Budget and appropriations.**

24 The Director of the Budget shall include in the 'Current Operations Appropriations  
25 Bill' an enumeration of the purposes or objects of the proposed expenditures for each of  
26 the construction and maintenance programs for that budget period for the State primary,  
27 secondary, urban, and State parks road systems. The State primary system shall include  
28 all portions of the State highway system located outside municipal corporate limits  
29 which are designated by N.C., U.S. or Interstate numbers. The State secondary system  
30 shall include all of the State highway system located outside municipal corporate limits  
31 that is not a part of the State primary system. The State urban system shall include all  
32 portions of the State highway system located within municipal corporate limits. The  
33 State parks system shall include all State parks roads which are not also part of the State  
34 highway system.

35 All construction and maintenance programs for which appropriations are requested  
36 shall be enumerated separately in the budget. Programs that are entirely State funded  
37 shall be listed separately from those programs involving the use of federal-aid funds.  
38 Proposed appropriations of State matching funds for each of the federal-aid construction  
39 programs shall be enumerated separately as well as the federal-aid funds anticipated for  
40 each program in order that the total construction requirements for each program may be  
41 provided for in the budget. Also, proposed State matching funds for the highway  
42 planning and research program shall be included separately along with the anticipated  
43 federal-aid funds for that purpose.

1 Other program categories for which appropriations are requested, such as, but not  
2 limited to, maintenance, channelization and traffic control, bridge maintenance, public  
3 service and access road construction, and ferry operations shall be enumerated in the  
4 budget.

5 The Department of Transportation shall have all powers necessary to comply fully  
6 with provisions of present and future federal-aid acts. No federally eligible construction  
7 project may be funded entirely with State funds unless the Department of Transportation  
8 has first consulted with the Joint Legislative Commission on Governmental Operations.  
9 For purposes of this section, 'federally eligible construction project' means any  
10 construction project except secondary road projects developed pursuant to G.S. 136-  
11 44.7 and 136-44.8 eligible for federal funds under any federal-aid act, whether or not  
12 federal funds are actually available.

13 The 'Current Operations Appropriations Bill' shall also contain the proposed  
14 appropriations of State funds for use in each county for maintenance and construction of  
15 secondary roads, to be allocated in accordance with G.S. 136-44.5 and 136-44.6. State  
16 funds appropriated for secondary roads shall not be transferred nor used except for the  
17 construction and maintenance of secondary roads in the county for which they are  
18 allocated pursuant to G.S. 136-44.5 and 136-44.6.

19 In the event receipts and increments to the State Highway Fund shall be more than  
20 the appropriations made for the preceding fiscal year, such excesses shall be allocated  
21 by the Director of the Budget to the Department of Transportation for school and  
22 industrial access roads and unforeseen happenings or state of affairs requiring prompt  
23 action, with fifty percent (50%) of the balance to be allocated to the State secondary  
24 roads program on the basis of need as determined by the Department of Transportation  
25 and the remaining fifty percent (50%) to be allocated in accordance with G.S. 136-44.5.

26 The Department of Transportation may provide for costs incurred or accrued for  
27 traffic control measures to be taken by the Department at major events which involve a  
28 high degree of traffic concentration on State highways, and which cannot be funded  
29 from regular budgeted items. This authorization applies only to events which are  
30 expected to generate 30,000 vehicles or more per day. The Department of  
31 Transportation shall provide for this funding by allocating and reserving up to one  
32 hundred thousand dollars (\$100,000) before any other allocations from the  
33 appropriations for State maintenance for primary, secondary, and urban road systems  
34 are made, based upon the same proportion as is appropriated to each system."

35 Sec. 3. This act is effective upon ratification.