

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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HOUSE BILL 620*
Committee Substitute Favorable 5/6/19
Senate Transportation Committee Substitute Adopted 6/26/19

Short Title: Street Database/Manual/Public Record Except.

(Public)

Sponsors:

Referred to:

April 8, 2019

1 A BILL TO BE ENTITLED
2 AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO COMPILE A
3 PUBLIC STREET INFORMATION DATABASE AND TO REGULARLY UPDATE THE
4 SUBDIVISION ROADS MANUAL, TO TEMPORARILY EXEMPT PROPRIETARY
5 DESIGN WORK SUBMITTED TO THE DEPARTMENT OF TRANSPORTATION
6 DURING A COMPETITIVE BID PROCESS FROM PUBLIC RECORDS, AND TO
7 MODIFY STREET DESIGNATION REQUIREMENTS ON RECORDED PLATS.

8 The General Assembly of North Carolina enacts:

9 SECTION 1. Article 2 of Chapter 136 of the General Statutes is amended by adding
10 a new section to read:

11 "**§136-18.06. Public Street Information Database.**

12 The Department shall compile a readily available "Public Street Information Database" and
13 place it in operation on or before January 1, 2020. The information shall convey the status of
14 roads within the State, and it shall be updated at least monthly, except as provided in subdivision
15 (1) of this section. The data shall reside on any existing database system chosen by the
16 Department for this purpose, including a geographic information system (GIS) mapping system.
17 The system chosen shall convey clear and concise information regarding the status of roads to
18 the public. The data shall be available to the public in either graphic or tabular format, or both.
19 The status of roads to be conveyed shall be:

20 (1) Federally owned, updated as often and with as much information as the State
21 is provided from the federal government.

22 (2) State-maintained with a State road number assigned.

23 (3) State-owned with a State road number assigned."

24 SECTION 2. Article 2 of Chapter 136 of the General Statutes is amended by adding
25 a new section to read:

26 "**§ 136-18.07. Subdivision Roads Manual.**

27 The Department shall update its Subdivision Roads Minimum Construction Standards
28 Manual and any related pavement or other policies by July 1, 2020, and regularly thereafter, to
29 accurately reflect current federal and State law and applicable judicial decisions. The Department
30 shall report all updates to the Manual to the Joint Legislative Transportation Oversight
31 Committee."

32 SECTION 3. G.S. 132-1.2 reads as rewritten:

33 "**§ 132-1.2. Confidential information.**

34 Nothing in this Chapter shall be construed to require or authorize a public agency or its
35 subdivision to disclose any information that:



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(8) Reveals proprietary design work or work product included in a proposal that is submitted to the Department of Transportation for consideration, or any Department intra-agency communications related to the review of a proposal, during a competitive bid process. For the purposes of this subdivision, the competitive bid process is completed upon contract award. Proprietary design work, work product, or intra-agency communications that are otherwise public records pursuant to G.S. 132-1 are no longer confidential and subject to disclosure upon contract award."

SECTION 4.(a) G.S. 136-102.6 reads as rewritten:

"§ 136-102.6. Compliance of subdivision streets with minimum standards of the Board of Transportation required of developers.

...
(b) The right-of-way of any new street or change in an existing street shall be delineated upon the map or plat with particularity and such streets shall be designated to be either public or private. Any plat with streets designated as public pursuant to this subsection shall also contain a written notice of conspicuous size, in a conspicuous location, and shall state: "ANY STREET DESIGNATED ON THIS PLAT OR MAP AS PUBLIC, PURSUANT TO G.S. 136-102.6, SHALL BE CONCLUSIVELY PRESUMED TO BE AN OFFER OF DEDICATION TO THE PUBLIC OF SUCH STREET. THIS DESIGNATION DOES NOT ENSURE THAT A STREET HAS BEEN OR WILL BE ACCEPTED, ADOPTED, OR MAINTAINED AS PUBLIC." Any street designated on the plat or map as public shall be conclusively presumed to be an offer of dedication to the public of such street.

...."
SECTION 4.(b) This section becomes effective January 1, 2021, and applies to maps or plats recorded on or after that date.

SECTION 5. Except as otherwise provided, this act is effective when it becomes law.