

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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SENATE DRS35194-RW-23 (3/20)

Short Title: Moving Ahead Transportation Initiative.

(Public)

Sponsors: Senator Gulley.

Referred to:

A BILL TO BE ENTITLED

1
2 AN ACT TO IMPLEMENT THE NORTH CAROLINA MOVING AHEAD
3 TRANSPORTATION INITIATIVE BY ALLOWING CASH BALANCES IN THE
4 HIGHWAY TRUST FUND TO BE USED TO MEET CRUCIAL
5 TRANSPORTATION NEEDS AND TO REAFFIRM THE INTENT OF THE
6 GENERAL ASSEMBLY THAT PROCEEDS FROM THE ISSUANCE OF
7 BONDS UNDER AUTHORITY OF THE STATE HIGHWAY BOND ACT OF
8 1996 SHALL BE USED FOR THE PURPOSES STATED IN THAT ACT, AND
9 FOR NO OTHER PURPOSE.

10 The General Assembly of North Carolina enacts:

11 **SECTION 1.** G.S. 136-176 is amended by adding a new subsection to read:

12 "(a3) The Department may obligate three hundred million dollars (\$300,000,000)
13 in fiscal year 2003-2004 and four hundred million dollars (\$400,000,000) in fiscal year
14 2004-2005 of the cash balance of the Highway Trust Fund for the following purposes.
15 Projects selected for funding pursuant to this subsection shall be based on identified and
16 documented need:

17 (1) Six hundred thirty million dollars (\$630,000,000) for highway system
18 preservation, modernization, and maintenance; signs, signals, and
19 traffic control devices; and resurfacing of roadways.

20 (2) Seventy million dollars (\$70,000,000) for regional public transit
21 systems, rural and urban public transportation system facilities,
22 regional transportation and air quality initiatives, rail system track
23 improvements and equipment, and other ferry, bicycle, and pedestrian
24 improvements."

25 **SECTION 2.** G.S. 136-176 is amended by adding a new subsection to read:

26 "(a4) The Department shall report to the Joint Legislative Transportation Oversight
27 Committee, on or before September 1, 2003, on its intended use of funds pursuant to

1 subsection (a3) of this section. The Department shall report to the Joint Transportation
2 Appropriations Subcommittee, on or before May 1, 2004, on its actual current and
3 intended future use of funds pursuant to subsection (a3) of this section. The Department
4 shall certify to the Joint Legislative Transportation Oversight Committee each year, on
5 or before November 1, that use of the Highway Trust Fund cash balances for the
6 purposes listed in subsection (a3) of this section will not adversely affect the delivery
7 schedule of any Highway Trust Fund projects. If the Department cannot certify that the
8 full amounts authorized in subsection (a3) of this section are available, then the
9 Department shall determine the amount that can be used without adversely affecting the
10 delivery schedule and shall proportionately apply that amount to the purposes set forth
11 in subsection (a3) of this section."

12 **SECTION 3.** The General Assembly reaffirms its intent that the proceeds of
13 the issuance of any bonds pursuant to the Highway Bond Act of 1996, Chapter 590 of
14 the 1995 Session Laws, shall be used only for the purposes stated in that act, and for no
15 other purpose.

16 **SECTION 4.** This act becomes effective July 1, 2003.