

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

H

2

HOUSE BILL 10  
Senate Transportation Committee Substitute Adopted 3/6/13

Short Title: Remove Route Restriction for NC 540 Loop.

(Public)

Sponsors:

Referred to:

January 31, 2013

A BILL TO BE ENTITLED

AN ACT TO REMOVE THE RESTRICTION ON THE TURNPIKE AUTHORITY'S  
SELECTION OF A CORRIDOR LOCATION FOR THE SOUTHEAST EXTENSION  
PROJECT OF N.C. 540; AND TO REMOVE AUTHORIZATION AND FUNDING  
FROM THREE PROJECTS OF THE TURNPIKE AUTHORITY.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 136-89.183(a)(2) reads as rewritten:

**"§ 136-89.183. Powers of the Authority.**

(a) The Authority shall have all of the powers necessary to execute the provisions of this Article, including the following:

...

(2) To study, plan, develop, and undertake preliminary design work on up to ~~eight~~ five Turnpike Projects. At the conclusion of these activities, the Turnpike Authority is authorized to design, establish, purchase, construct, operate, and maintain the following projects:

- a. Triangle Expressway, including segments also known as N.C. 540, Triangle Parkway, Western Wake Freeway in Wake and Durham Counties, and Southeast Extension in Wake and Johnston ~~Counties~~, ~~except that no portion of the Southeast Extension shall be located north of an existing protected corridor established by the Department of Transportation circa 1995, except in the area of Interstate 40 East-Counties.~~
- b. ~~Gaston East West Connector, also known as the Garden Parkway.~~
- c. Monroe Connector/Bypass.
- d. ~~Cape Fear Skyway.~~
- e. ~~A bridge of more than two miles in length going from the mainland to a peninsula bordering the State of Virginia, pursuant to G.S. 136-89.183A."~~

**SECTION 2.** The Department of Transportation shall strive to expedite the federal environmental impact statement process to define the route for the Southeast Extension of the Triangle Expressway Turnpike Project by promptly garnering input from local officials and other stakeholders, accelerating any required State studies, promptly submitting permit applications to the federal government, working closely with the federal government during the permitting process, and taking any other appropriate actions to accelerate the environmental permitting process.



\* H 1 0 - V - 2 \*

1           **SECTION 3.** As part of its oversight of the Department of Transportation, the Joint  
2 Legislative Transportation Oversight Committee shall closely monitor the progress of the  
3 Southeast Extension of the Triangle Expressway Turnpike Project.

4           **SECTION 4.** G.S. 136-176(b2) reads as rewritten:

5           "(b2) There is annually appropriated to the North Carolina Turnpike Authority from the  
6 Highway Trust Fund the sum of ~~one hundred twelve million dollars (\$112,000,000).~~ Forty-nine  
7 million dollars (\$49,000,000). Of the amount allocated by this subsection, twenty-five million  
8 dollars (\$25,000,000) shall be used to pay debt service or related financing costs and expenses  
9 on revenue bonds or notes issued for the construction of the Triangle Expressway, and  
10 twenty-four million dollars (\$24,000,000) shall be used to pay debt service or related financing  
11 expenses on revenue bonds or notes issued for the construction of the Monroe  
12 ~~Connector/Bypass, Connector/Bypass.~~ twenty-eight million dollars (\$28,000,000) shall be used  
13 to pay debt service or related financing expenses on revenue bonds or notes issued for the  
14 construction of the Mid-Currituck Bridge, and thirty-five million dollars (\$35,000,000) shall be  
15 used to pay debt service or related financing expenses on revenue bonds or notes issued for the  
16 construction of the Garden Parkway. The amounts appropriated to the Authority pursuant to this  
17 subsection shall be used by the Authority to pay debt service or related financing costs and  
18 expenses on revenue bonds or notes issued by the Authority to finance the costs of one or more  
19 Turnpike Projects, to refund such bonds or notes, or to fund debt service reserves, operating  
20 reserves, and similar reserves in connection therewith. The appropriations established by this  
21 subsection constitute an agreement by the State to pay the funds appropriated hereby to the  
22 Authority within the meaning of G.S. 159-81(4). Notwithstanding the foregoing, it is the  
23 intention of the General Assembly that the enactment of this provision and the issuance of  
24 bonds or notes by the Authority in reliance thereon shall not in any manner constitute a pledge  
25 of the faith and credit and taxing power of the State, and nothing contained herein shall prohibit  
26 the General Assembly from amending the appropriations made in this subsection at any time to  
27 decrease or eliminate the amount annually appropriated to the Authority. Funds transferred  
28 from the Highway Trust Fund to the Authority pursuant to this subsection are not subject to the  
29 equity formula in G.S. 136-17.2A."

30           **SECTION 5.** G.S. 105-187.9 reads as rewritten:

31           "**§ 105-187.9. Disposition of tax proceeds.**

32           ...

33           (c) Mobility Fund Transfer. – In each fiscal year, the State Treasurer shall transfer  
34 ~~fifty-eight million dollars (\$58,000,000)~~ one hundred twenty-one million dollars  
35 (\$121,000,000) from the taxes deposited in the Trust Fund to the Mobility Fund. The transfer of  
36 funds authorized by this section may be made by transferring one-fourth of the amount at the  
37 end of each quarter in the fiscal year or by transferring the full amount annually on July 1 of  
38 each fiscal year, subject to the availability of revenue."

39           **SECTION 6.** This act is effective when it becomes law.