

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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HOUSE BILL 1006

Short Title: Regional Public Trans. Authority Service Area. (Public)

Sponsors: Representatives Reives, White, Penny, and Price (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Appropriations, if favorable, Rules, Calendar, and Operations of the House

May 6, 2024

1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW A REGIONAL PUBLIC TRANSPORTATION AUTHORITY TO
3 OPERATE A BUSPOOL MORE THAN TEN MILES BEYOND ITS TERRITORIAL
4 JURISDICTION.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. G.S. 160A-601 reads as rewritten:

7 "§ 160A-601. Definitions.

8 As used in this Article, unless the context otherwise requires:

9 ...

- 10 (4) "Public transportation" means transportation of passengers whether or not for
11 hire by any means of conveyance, including but not limited to a street or
12 elevated railway or ~~guideway, subway, guideway; subway;~~ motor vehicle or
13 motor ~~bus, carpool-bus; carpool, buspool, or vanpool, vanpool;~~ either publicly
14 or privately owned and operated, holding itself out to the general public for
15 the transportation of persons within or working within the ~~territorial~~
16 ~~jurisdiction~~ service area of the Authority, excluding charter, tour, or
17 sight-seeing service.

18"

19 SECTION 2. G.S. 160A-610 reads as rewritten:

20 "§ 160A-610. General powers of the Authority.

21 The general powers of the Authority shall include any or all of the following:

- 22 (1) To sue and be ~~sued;~~sued.
23 (2) To have a ~~seal;~~seal.
24 (3) To make rules and regulations, not inconsistent with this Chapter, for its
25 organization and internal ~~management;~~management.
26 (4) To employ persons deemed necessary to carry out the functions and duties
27 assigned to them by the Authority and to fix their compensation, within the
28 limit of available ~~funds;~~funds.
29 (5) With the approval of the unit of local government's chief administrative
30 official, to use officers, employees, agents and facilities of the unit of local
31 government for such purposes and upon such terms as may be mutually
32 ~~agreeable;~~agreeable.
33 (6) To retain and employ counsel, auditors, engineers and private consultants on
34 an annual salary, contract basis, or otherwise for rendering professional or
35 technical services and ~~advice;~~advice.



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- 1 (7) To acquire, lease as lessee with or without option to purchase, hold, own, and
2 use any franchise, property, real or personal, tangible or intangible, or any
3 interest therein and to sell, lease as lessor with or without option to purchase,
4 transfer (or dispose thereof) whenever the same is no longer required for
5 purposes of the Authority, or exchange same for other property or rights which
6 are useful for the Authority's purposes, including but not necessarily limited
7 to parking ~~facilities;~~facilities.
- 8 (7a) To enhance mobility within the region and promote sound growth patterns
9 through joint transit development projects as generally described by Federal
10 Transit Administration (FTA) policy at 62 Fed. Reg. 12266 (1997) and
11 implementing guidelines in FTA Circular 9300.1A, Appendix B, as the policy
12 and guidance may be amended; and, with respect to the planning,
13 construction, and operation of joint transit development projects, upon the
14 governing board's adoption of policies and procedures to ensure fair and open
15 competition, to select developers or development teams in substantially the
16 same manner as permitted by G.S. 143-129(h); and to enter into development
17 agreements with public, private, or nonprofit entities to undertake the
18 planning, construction, and operation of joint transit development projects.
- 19 (8) To acquire by gift, purchase, lease as lessee with or without option to purchase
20 or otherwise to construct, improve, maintain, repair, operate or administer any
21 component parts of a public transportation system or to contract for the
22 maintenance, operation or administration thereof or to lease as lessor the same
23 for maintenance, operation, or administration by private parties, including but
24 not necessarily limited to parking ~~facilities;~~facilities.
- 25 (9) To make or enter into contracts, agreements, deeds, leases with or without
26 option to purchase, conveyances or other instruments, including contracts and
27 agreements with the United States, the State of North Carolina, and units of
28 local ~~government;~~government.
- 29 (9a) To purchase or finance real or personal property in the manner provided for
30 cities and counties under ~~G.S. 160A-20;~~G.S. 160A-20.
- 31 (10) To surrender to the State of North Carolina any property no longer required
32 by the ~~Authority;~~Authority.
- 33 (11) To develop and make data, plans, information, surveys and studies of public
34 transportation facilities within the ~~territorial jurisdiction~~ service area of the
35 Authority, to prepare and make recommendations in regard ~~thereto;~~thereto.
- 36 (12) To enter in a reasonable manner lands, waters or premises for the purpose of
37 making surveys, soundings, drillings, and examinations whereby such entry
38 shall not be deemed a trespass except that the Authority shall be liable for any
39 actual and consequential damages resulting from such ~~entries;~~entries.
- 40 (13) To develop and carry out demonstration ~~projects;~~projects.
- 41 (14) To make, enter into, and perform contracts with private parties, and public
42 transportation companies with respect to the management and operation of
43 public passenger ~~transportation;~~transportation.
- 44 (15) To make, enter into, and perform contracts with any public utility, railroad or
45 transportation company for the joint use of property or rights, for the
46 establishment of through routes, joint fares or transfer of
47 ~~passengers;~~passengers.
- 48 (16) To make, enter into, and perform agreements with governmental entities for
49 payments to the Authority for the transportation of persons for whom the
50 governmental entities desire ~~transportation;~~transportation.

- 1 (17) With the consent of the unit of local government which would otherwise have
- 2 jurisdiction to exercise the powers enumerated in this subdivision: to issue
- 3 certificates of public convenience and necessity; and to grant franchises and
- 4 enter into franchise agreements and in all respects to regulate the operation of
- 5 buses, taxicabs and other methods of public passenger transportation which
- 6 originate and terminate within the territorial jurisdiction of the Authority as
- 7 fully as the unit of local government is now or hereafter empowered to do
- 8 within the territorial jurisdiction of the unit of local ~~government;~~government.
- 9 (18) To operate public transportation systems and to enter into and perform
- 10 contracts to operate public transportation services and facilities and to own or
- 11 lease property, facilities and equipment necessary or convenient therefor, and
- 12 to rent, lease or otherwise sell the right to do so to any person, public or
- 13 private; further, to obtain grants, loans and assistance from the United States,
- 14 the State of North Carolina, any public body, or any private source
- 15 whatsoever, but may not operate or contract for the operation of public
- 16 transportation systems outside the territorial jurisdiction of the Authority
- 17 except as provided by subdivision (20) of this ~~section;~~section.
- 18 (19) To enter into and perform contracts and agreements with other public
- 19 transportation authorities, regional public transportation authorities or units of
- 20 local government pursuant to the provisions of G.S. 160A-460 through
- 21 160A-464 (Part 1 of Article 20 of Chapter 160A of the General Statutes);
- 22 further to enter into contracts and agreements with private transportation
- 23 companies, but this subdivision does not authorize the operation of, or
- 24 contracting for the operation of, service of a public transportation system
- 25 outside the service area of the ~~Authority;~~Authority.
- 26 (20) To operate public transportation systems extending service into any political
- 27 subdivision of the State of North Carolina unless a particular unit of local
- 28 government operating its own public transportation system or franchising the
- 29 operation of a public transportation system by majority vote of its governing
- 30 board, shall deny ~~consent, but such service consent.~~ Service provided under
- 31 this subdivision may not extend more than 10 miles outside of the territorial
- 32 jurisdiction of the authority, except that ~~vanpool—vanpool, buspool, and~~
- 33 carpool service shall not be subject to that mileage ~~limitation;~~limitation.
- 34 (21) Except as restricted by covenants in bonds, notes, or equipment trust
- 35 certificates, to set in its sole discretion rates, fees and charges for use of its
- 36 public transportation ~~system;~~system.
- 37 (22) To do all things necessary or convenient to carry out its purpose and to
- 38 exercise the powers granted to the ~~Authority;~~Authority.
- 39 (23) To collect or contract for the collection of taxes which it is authorized by law
- 40 to ~~levy;~~levy.
- 41 (24) To issue bonds or other obligations of the Authority as provided by law and
- 42 apply the proceeds thereof to the financing of any public transportation system
- 43 or any part thereof and to refund, whether or not in advance of maturity or the
- 44 earliest redemption date, any such bonds or other ~~obligations; and~~obligations.
- 45 "

46 **SECTION 3.** There is appropriated from the General Fund to the Department of
 47 Transportation the sum of one hundred thousand dollars (\$100,000) in nonrecurring funds for the
 48 2024-2025 fiscal year to be provided as a directed grant to the Central Pines Regional Council
 49 for the purpose of conducting a study, in consultation with the Capital Area Municipal Planning
 50 Organization, Durham-Chapel Hill-Carrboro Municipal Planning Organization, Central Pines
 51 Rural Planning Organization, Upper Coastal Plain Rural Planning Organization, and GoTriangle,

1 on regional workforce transportation needs. Not later than December 1, 2025, the Department
2 shall submit a report on the study, and any recommendations for legislation, to the Joint
3 Legislative Oversight Committee on Transportation, the Joint Legislative Economic
4 Development and Global Engagement Oversight Committee, and the Fiscal Research Division.

5 **SECTION 4.** This act becomes effective July 1, 2024.