GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2007

H D

HOUSE DRH30271-MA-204A (3/6)

Short Title: Municipal Street Provisions. (Public)

Sponsors: Representative Cole.

Referred to:

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A BILL TO BE ENTITLED

AN ACT TO DEFINE MUNICIPAL STREETS AND TO REQUIRE FUNCTIONALITY TESTING AND CLASSIFICATION OF STREETS AND HIGHWAYS IN AND AROUND MUNICIPALITIES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 136-66.1(1) reads as rewritten:

"§ 136-66.1. Responsibility for streets inside municipalities.

Responsibility for streets and highways inside the corporate limits of municipalities is hereby defined as follows:

The State Highway System. - The State highway system inside the (1) corporate limits of municipalities shall consist only of a system of major streets and highways necessary to move volumes of traffic efficiently and effectively from points beyond the corporate limits of the municipalities through the municipalities and to major business, industrial, governmental and institutional destinations located inside the municipalities. The Department of Transportation shall be responsible for the maintenance, repair, improvement, widening, construction and reconstruction of this system. These streets and highways within corporate limits are of primary benefit to the State in developing a statewide coordinated system of primary and secondary streets and highways. Each highway division shall develop an annual work plan for maintenance and contract resurfacing, within their respective divisions, consistent with the needs, inasmuch as possible, as identified in the report developed in accordance with G.S. 136-44.3. In developing the annual work plan, the highway division shall give consideration to any special needs or information provided by the municipalities within their respective divisions. The plan shall be made

1 available to the municipalities within the respective divisions upon 2 request. 3 4 **SECTION 2.** G.S. 136-66.1(2) reads as rewritten: 5 "§ 136-66.1. Responsibility for streets inside municipalities. 6 Responsibility for streets and highways inside the corporate limits of municipalities 7 is hereby defined as follows: 8 9 (2) The Municipal Street System. – In each municipality the municipal 10 street system shall consist of those public streets and highways 11 accepted by the municipality which are not a part of the State highway 12 system. The municipality shall be responsible for the maintenance, 13 construction, reconstruction, and right-of-way acquisition for this 14 system. 15 16 **SECTION 3.** G.S. 136-66.2(b) reads as rewritten: 17 "§ 136-66.2. Development of a coordinated transportation system and provisions 18 for streets and highways in and around municipalities. 19 . . . 20 (b) After completion and analysis of the plan, the plan shall be adopted by both 21 the governing body of the municipality or MPO and the Department of Transportation 22 as the basis for future transportation improvements in and around the municipality or 23 within the MPO. The governing body of the municipality and the Department of 24 Transportation shall reach agreement as to which of the existing and proposed streets 25 and highways included in the adopted plan will be a part of the State highway system 26 and which streets will be a part of the municipal street system. As used in this Article, 27 the State highway system shall mean both the primary highway system of the State and 28 the secondary road system of the State within municipalities.municipalities that meet the 29 functionality test of subsection (c) of this section." 30 31 **SECTION 4.** G.S. 136-66.2(c) reads as rewritten: 32 "§ 136-66.2. Development of a coordinated transportation system and provisions 33 for streets and highways in and around municipalities. 34 . . . 35 From and after the date that the plan is adopted, the streets and highways designated in the plan as the responsibility of the Department of Transportation must be 36 37 functionally classified according to the most recent functional classification system map 38 approved by both the Department and the Federal Highway Administration as major 39 collectors, arterials, or interstate routes and shall become a part of the State highway 40 system and all such system streets shall be subject to the provisions of G.S. 136-93, and

...." **SECTION 5.** G.S. 136-66.2(d) reads as rewritten:

part of the municipal street system.

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all streets designated in the plan as the responsibility of the municipality shall become a

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1 "§ 136-66.2. Development of a coordinated transportation system and provisions 2 for streets and highways in and around municipalities. 3 . . . 4 (d) For municipalities not located within an MPO, either the municipality or the 5 Department of Transportation may propose changes in the plan that meet the eligibility 6 requirements of subsection (c) of this section at any time by giving notice to the other 7 party, but no change shall be effective until it is adopted by both the Department of 8 Transportation and the municipal governing board. For MPOs, either the MPO or the 9 Department of Transportation may propose changes in the plan at any time by giving 10 notice to the other party, but no change shall be effective until it is adopted by both the 11 Department of Transportation and the MPO. 12" 13 **SECTION 6.** G.S. 136-66.2(f) reads as rewritten: 14 "§ 136-66.2. Development of a coordinated transportation system and provisions 15 for streets and highways in and around municipalities. 16 . . . 17 (f) Streets within municipalities which are on the State highway system as of 18 July 1, 1959, shall continue to be on that system until changes are made as provided in 19 this section. to comply with the eligibility requirements of subsection (c) of this section. 20 These systems must be reviewed and new agreements in place by December 31, 2008." 21

SECTION 7. This act is effective when it becomes law.

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