GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2007

Η

HOUSE BILL 1462

Sponsors:Representative Cole.Referred to:Transportation, if favorable, Judiciary III.

April 16, 2007

1	A BILL TO BE ENTITLED
2	AN ACT TO DEFINE MUNICIPAL STREETS AND TO REQUIRE
3	FUNCTIONALITY TESTING AND CLASSIFICATION OF STREETS AND
4	HIGHWAYS IN AND AROUND MUNICIPALITIES.
5	The General Assembly of North Carolina enacts:
6	SECTION 1. G.S. 136-66.1(1) reads as rewritten:
7	"§ 136-66.1. Responsibility for streets inside municipalities.
8	Responsibility for streets and highways inside the corporate limits of municipalities
9	is hereby defined as follows:
10	(1) The State Highway System. – The State highway system inside the
11	corporate limits of municipalities shall consist <u>only</u> of a system of
12	major streets and highways necessary to move volumes of traffic
13	efficiently and effectively from points beyond the corporate limits of
14	the municipalities through the municipalities and to major business,
15	industrial, governmental and institutional destinations located inside
16	the municipalities. The Department of Transportation shall be
17	responsible for the maintenance, repair, improvement, widening,
18	construction and reconstruction of this system. These streets and
19	highways within corporate limits are of primary benefit to the State in
20	developing a statewide coordinated system of primary and secondary
21	streets and highways. Each highway division shall develop an annual
22	work plan for maintenance and contract resurfacing, within their
23	respective divisions, consistent with the needs, inasmuch as possible,
24	as identified in the report developed in accordance with G.S. 136-44.3.
25	In developing the annual work plan, the highway division shall give
26	consideration to any special needs or information provided by the
27	municipalities within their respective divisions. The plan shall be made
28	available to the municipalities within the respective divisions upon
29	request.

(Public)

1	
	SECTION 2. G.S. 136-66.1(2) reads as rewritten:
2 3	"§ 136-66.1. Responsibility for streets inside municipalities.
4	Responsibility for streets and highways inside the corporate limits of municipalities
4 5	
6	is hereby defined as follows:
7	(2) The Municipal Street System. – In each municipality the municipal
8	
8 9	street system shall consist of those <u>public</u> streets and highways accepted by the municipality which are not a part of the State highway
9 10	
10	system. The municipality shall be responsible for the maintenance,
	construction, reconstruction, and right-of-way acquisition for this
12 13	system.
13 14	$\mathbf{SECTION} 2 \subset \mathbf{S} 126 66 \mathbf{2(h)} \text{ reads as rewritten}$
	SECTION 3. G.S. 136-66.2(b) reads as rewritten:
15	"§ 136-66.2. Development of a coordinated transportation system and provisions
16 17	for streets and highways in and around municipalities.
17	(b) After completion and analysis of the plan, the plan shall be adopted by both
18 19	
	the governing body of the municipality or MPO and the Department of Transportation
20	as the basis for future transportation improvements in and around the municipality or within the MBO. The governing body of the municipality and the Department of
21	within the MPO. The governing body of the municipality and the Department of
22	Transportation shall reach agreement as to which of the existing and proposed streets
23	and highways included in the adopted plan will be a part of the State highway system
24	and which streets will be a part of the municipal street system. As used in this Article,
25	the State highway system shall mean both the primary highway system of the State and
26	the secondary road system of the State within municipalities. <u>municipalities that meet the</u>
27	<u>functionality test of subsection (c) of this section.</u>
28	$\sum_{i=1}^{n} \sum_{j=1}^{n} \sum_{i=1}^{n} \sum_{j=1}^{n} \sum_{i$
29 20	SECTION 4. G.S. 136-66.2(c) reads as rewritten:
30 31	"§ 136-66.2. Development of a coordinated transportation system and provisions
31	for streets and highways in and around municipalities.
32 33	(c) From and after the date that the plan is adopted, the streets and highways
33 34	designated in the plan as the responsibility of the Department of Transportation <u>must be</u>
34 35	<u>functionally classified according to the most recent functional classification system map</u>
35 36	
30 37	approved by both the Department and the Federal Highway Administration as major
37 38	<u>collectors, arterials, or interstate routes and shall become a part of the State highway</u> system and all such system streats shall be subject to the provisions of C S 136.03 and
38 39	system and all such system streets shall be subject to the provisions of G.S. 136-93, and
39 40	all streets designated in the plan as the responsibility of the municipality shall become a
40 41	part of the municipal street system.
41 42	" SECTION 5. G.S. 136-66.2(d) reads as rewritten:
42 43	"§ 136-66.2. Development of a coordinated transportation system and provisions
43 44	
44	for streets and highways in and around municipalities.

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