

1 each program in order that the total construction requirements for each program may be
2 provided for in the budget. Also, proposed State matching funds for the highway
3 planning and research program shall be included separately along with the anticipated
4 federal-aid funds for that purpose.

5 Other program categories for which appropriations are requested, such as, but not
6 limited to, maintenance, channelization and traffic control, bridge maintenance, public
7 service and access road construction, and ferry operations shall be enumerated in the
8 budget.

9 The Department of Transportation shall have all powers necessary to comply fully
10 with provisions of present and future federal-aid acts. No federally eligible construction
11 project may be funded entirely with State funds unless the Department of Transportation
12 has first consulted with the Joint Legislative Commission on Governmental Operations.
13 For purposes of this section, 'federally eligible construction project' means any
14 construction project except secondary road projects developed pursuant to G.S. 136-
15 44.7 and 136-44.8 eligible for federal funds under any federal-aid act, whether or not
16 federal funds are actually available.

17 The 'Budget Appropriations Bill' shall also contain the proposed appropriations of
18 State funds for use in each county for maintenance and construction of secondary roads,
19 to be allocated in accordance with G.S. 136-44.5 and 136-44.6. State funds appropriated
20 for secondary roads shall not be transferred nor used except for the construction and
21 maintenance of secondary roads in the county for which they are allocated pursuant to
22 G.S. 136-44.5 and 136-44.6.

23 In the event receipts and increments to the State Highway Fund shall be more than
24 the appropriations made for the preceding fiscal year, such excesses shall be allocated
25 by the Director of the Budget to the Department of Transportation for school and
26 industrial access roads and unforeseen happenings or state of affairs requiring prompt
27 action, with fifty percent (50%) of the balance to be allocated to the State secondary
28 roads program on the basis of need as determined by the Department of Transportation
29 and the remaining fifty percent (50%) to be allocated in accordance with G.S. 136-44.5.

30 The Department of Transportation may provide for costs incurred or accrued for
31 traffic control measures to be taken by the Department at major events which involve a
32 high degree of traffic concentration on State highways, and which cannot be funded
33 from regular budgeted items. This authorization applies only to events which are
34 expected to generate 30,000 vehicles or more per day."

35 Sec. 2. G.S. 136-44.12 reads as rewritten:

36 **"§ 136-44.12. Construction and maintenance of roads in areas administered by the**
37 **Division of State Parks.**

38 The Department of Transportation ~~is authorized to~~ shall construct and maintain all
39 roads which are not part of the State Highway System, leading into and located within
40 the boundaries of all areas administered by the Division of ~~State Parks and Recreation~~ of
41 the Department of Natural Resources and Community Development.

42 All such roads shall be planned, designed, engineered and constructed through joint
43 action between the Department of Transportation and the Division of ~~State Parks and~~
44 Recreation of the Department of Natural Resources and Community Development. This

1 joint action shall encompass all accepted park planning and design principles. Particular
2 concern shall be given to traffic counts and vehicle weight, minimal cutting into or
3 through any natural and scenic areas, width of shoulders, the cutting of natural growth
4 along roadways, and the reduction of any potential use of roads for any purpose other
5 than by park users. All State park roads shall conform to the standards regarding width
6 and other roadway specifications as agreed upon by the Division of ~~State Parks~~ and
7 Recreation of the Department of Natural Resources and Community Development and
8 the Department of Transportation.

9 The State park road systems may be closed to the public in accordance with
10 approved park practices that control the use of State areas so as to protect these areas
11 from overuse and abuse and provide for functional use of the park areas, or for any
12 other purpose considered in the best interest of the public by the Division of ~~State Parks~~
13 and Recreation of the Department of Natural Resources and Community Development.

14 Nothing herein shall be construed to include the transfer to the Department of
15 Transportation the powers now vested in the Division of ~~State Parks~~ and Recreation of
16 the Department of Natural Resources and Community Development relating to the
17 patrol and safeguarding of State parks or parkway roads."

18 Sec. 3. This act is effective upon ratification.