## GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2005

S SENATE DRS35386-MA-207 (5/16)

## Short Title: NC Turnpike Encouragement and Assistance. (Public)

Sponsors: Senator Jenkins.

Referred to:

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## A BILL TO BE ENTITLED

AN ACT TO ESTABLISH A NORTH CAROLINA TURNPIKE ENCOURAGEMENT AND ASSISTANCE PROGRAM (N.C. TEA), AND TO ASSIST THE NORTH CAROLINA TURNPIKE AUTHORITY AND THE DEPARTMENT OF TRANSPORTATION FIND ADDITIONAL FUNDING AND SPEED NEEDED TRANSPORTATION IMPROVEMENTS.

Whereas, the North Carolina General Assembly has noted that toll funding is feasible in North Carolina and that a toll program can speed the implementation of needed transportation improvements; and

Whereas, traditional sources of revenue are proving to be insufficient to meet the mobility demands of our growing State; and

Whereas, turnpikes, which comprise both individual toll roads and ValuExpress lanes alongside nontoll lanes, exhibit the potential to provide the State with a significant new source of highway funding revenue; and

Whereas, tolls alone are rarely sufficient to provide 100% of the financial resources required for constructing a new turnpike corridor, and one or more external sources of additional funding are required; and

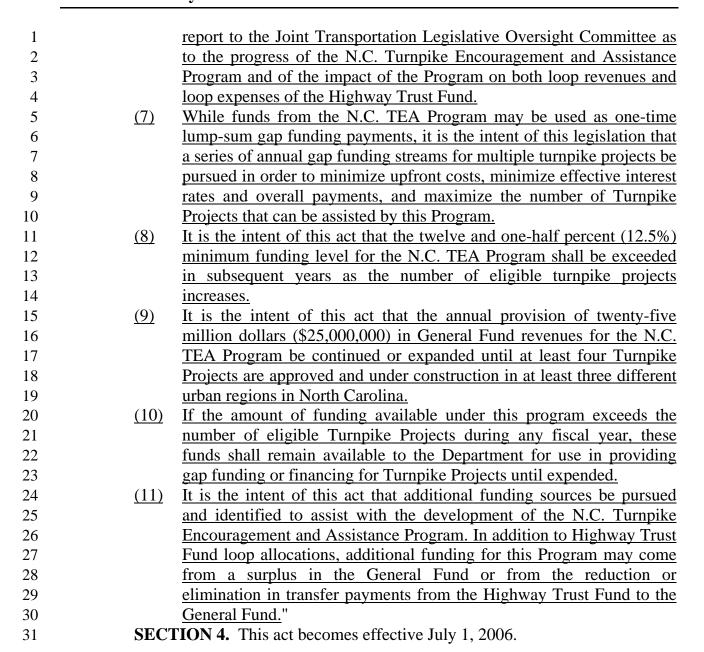
Whereas, the enabling legislation for the North Carolina Turnpike Authority authorizes but does not require that the Department of Transportation participate in the cost of construction of a Turnpike Project; and

Whereas, in order to complement the efforts of the North Carolina Turnpike Authority, this proposed legislation targets an existing, albeit limited, source of revenue to encourage toll construction in the largest and most congested urban regions of the state; and

Whereas, this proposed legislation is designed to encourage urban regions to share in the burden of investing in their mobility future and to relieve some of the transportation funding burden of the State; Now, therefore,

1	The General A	Assembly of North Carolina enacts:
2		CTION 1. G.S. 136-176(a) is amended by adding a new subdivision to
3	read:	21101V1. G.S. 130-170(a) is amended by adding a new subdivision to
4	" <u>(6)</u>	Revenue from the General Fund that may be provided to the Highway
5	<u>(0)</u>	Trust Fund from time to time."
6	SEC	CTION 2. G.S. 136-176(b)(2) reads as rewritten:
7	"(2)	
8	<u>(2)</u>	construct the urban loops described in G.S. 136-180, and to pay debt
9		service on highway bonds and notes that are issued under the State
10		Highway Bond Act of 1996 and whose proceeds are applied to these
11		urban loops, and to fund the North Carolina Turnpike Encouragement
12		and Assistance Program (N.C. TEA) as described in subjection (e) of
13		this section."
14	SEC	CTION 3. G.S. 136-176 is amended by adding a new subsection to read:
15		North Carolina Turnpike Encouragement and Assistance Program (N.C.
16		y established within the State Highway Trust Fund.
17	(1)	A minimum of twelve and one-half percent (12.5%) of annual
18	<u>(1)</u>	Highway Trust Fund loop funding or twelve million five hundred
19		thousand dollars (\$12,500,000) of annual Highway Trust Fund loop
20		funding, whichever is greater, shall be reserved for the N.C. TEA
21		Program to provide gap funding and/or gap financing for eligible
22		Turnpike Projects as defined in G.S. 136-89.181.
23	<u>(2)</u>	Turnpike Projects that are eligible for loop funding pursuant to
24	<u>(2)</u>	G.S. 136-180 will continue to remain eligible for additional loop
25		funding from those portions of the annual State Highway Trust Fund
26		loop allocation that are not reserved for Turnpike Projects under the
27		N.C. TEA Program.
28	<u>(3)</u>	Turnpike Projects that are not currently listed as loop-eligible
29	(2)	roadways pursuant to G.S. 136-180 are also eligible for gap funding
30		and/or gap financing from the N.C. TEA Program. No more than fifty
31		percent (50%) of the annual allocation for the N.C. TEA Program shall
32		be available for nonloop eligible roadways.
33	<u>(4)</u>	In order to ensure financial feasibility of potential Turnpike Projects
34	<del>1\</del>	and in order to maximize the number of Turnpike Projects that can be
35		assisted across the State, total funding from the N.C. TEA Program
36		may be used to cover no more than twenty percent (20%) of any
37		loop-eligible Turnpike Project cost, or no more than thirty percent
38		(30%) of any nonloop-eligible Turnpike Project cost.
39	<u>(5)</u>	To hold all loop cities harmless and to assist in the development of the
40	<u> </u>	N.C. TEA Program, twenty-five million dollars (\$25,000,000) in
41		General Fund revenues shall be provided to the Highway Trust Fund
42		Loop Fund in fiscal year 2006-2007.
43	(6)	Within 18 months after this act becomes law, the Department of
44	<del>3-1</del>	Transportation and the Turnpike Authority shall jointly provide a full

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