

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2025

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HOUSE BILL 363

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

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

Referred to: State and Local Government, if favorable, Finance, if favorable, Rules, Calendar,  
and Operations of the House

March 12, 2025

A BILL TO BE ENTITLED

AN ACT TO ALLOW A REGIONAL PUBLIC TRANSPORTATION AUTHORITY TO  
OPERATE A BUSPOOL MORE THAN TEN MILES BEYOND ITS TERRITORIAL  
JURISDICTION.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 160A-610 reads as rewritten:

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

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

- (1) To sue and be ~~sued~~; sued.
- (2) To have a ~~seal~~; seal.
- (3) To make rules and regulations, not inconsistent with this Chapter, for its organization and internal ~~management~~; management.
- (4) To employ persons deemed necessary to carry out the functions and duties assigned to them by the Authority and to fix their compensation, within the limit of available ~~funds~~; funds.
- (5) With the approval of the unit of local government's chief administrative official, to use officers, employees, agents and facilities of the unit of local government for such purposes and upon such terms as may be mutually ~~agreeable~~; agreeable.
- (6) To retain and employ counsel, auditors, engineers and private consultants on an annual salary, contract basis, or otherwise for rendering professional or technical services and ~~advice~~; advice.
- (7) To acquire, lease as lessee with or without option to purchase, hold, own, and use any franchise, property, real or personal, tangible or intangible, or any interest therein and to sell, lease as lessor with or without option to purchase, transfer (or dispose thereof) whenever the same is no longer required for purposes of the Authority, or exchange same for other property or rights which are useful for the Authority's purposes, including but not necessarily limited to parking ~~facilities~~; facilities.
- (7a) To enhance mobility within the region and promote sound growth patterns through joint transit development projects as generally described by Federal Transit Administration (FTA) policy at 62 Fed. Reg. 12266 (1997) and implementing guidelines in FTA Circular 9300.1A, Appendix B, as the policy and guidance may be amended; and, with respect to the planning,



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- 1 construction, and operation of joint transit development projects, upon the  
2 governing board's adoption of policies and procedures to ensure fair and open  
3 competition, to select developers or development teams in substantially the  
4 same manner as permitted by G.S. 143-129(h); and to enter into development  
5 agreements with public, private, or nonprofit entities to undertake the  
6 planning, construction, and operation of joint transit development projects.
- 7 (8) To acquire by gift, purchase, lease as lessee with or without option to purchase  
8 or otherwise to construct, improve, maintain, repair, operate or administer any  
9 component parts of a public transportation system or to contract for the  
10 maintenance, operation or administration thereof or to lease as lessor the same  
11 for maintenance, operation, or administration by private parties, including but  
12 not necessarily limited to parking ~~facilities;~~facilities.
- 13 (9) To make or enter into contracts, agreements, deeds, leases with or without  
14 option to purchase, conveyances or other instruments, including contracts and  
15 agreements with the United States, the State of North Carolina, and units of  
16 local ~~government;~~government.
- 17 (9a) To purchase or finance real or personal property in the manner provided for  
18 cities and counties under ~~G.S. 160A-20;~~G.S. 160A-20.
- 19 (10) To surrender to the State of North Carolina any property no longer required  
20 by the ~~Authority;~~Authority.
- 21 (11) To develop and make data, plans, information, surveys and studies of public  
22 transportation facilities within the ~~territorial jurisdiction service area~~ of the  
23 Authority, to prepare and make recommendations in regard ~~thereto;~~thereto.
- 24 (12) To enter in a reasonable manner lands, waters or premises for the purpose of  
25 making surveys, soundings, drillings, and examinations whereby such entry  
26 shall not be deemed a trespass except that the Authority shall be liable for any  
27 actual and consequential damages resulting from such ~~entries;~~entries.
- 28 (13) To develop and carry out demonstration ~~projects;~~projects.
- 29 (14) To make, enter into, and perform contracts with private parties, and public  
30 transportation companies with respect to the management and operation of  
31 public passenger ~~transportation;~~transportation.
- 32 (15) To make, enter into, and perform contracts with any public utility, railroad or  
33 transportation company for the joint use of property or rights, for the  
34 establishment of through routes, joint fares or transfer of  
35 ~~passengers;~~passengers.
- 36 (16) To make, enter into, and perform agreements with governmental entities for  
37 payments to the Authority for the transportation of persons for whom the  
38 governmental entities desire ~~transportation;~~transportation.
- 39 (17) With the consent of the unit of local government which would otherwise have  
40 jurisdiction to exercise the powers enumerated in this subdivision: to issue  
41 certificates of public convenience and necessity; and to grant franchises and  
42 enter into franchise agreements and in all respects to regulate the operation of  
43 buses, taxicabs and other methods of public passenger transportation which  
44 originate and terminate within the territorial jurisdiction of the Authority as  
45 fully as the unit of local government is now or hereafter empowered to do  
46 within the territorial jurisdiction of the unit of local ~~government;~~government.
- 47 (18) To operate public transportation systems and to enter into and perform  
48 contracts to operate public transportation services and facilities and to own or  
49 lease property, facilities and equipment necessary or convenient therefor, and  
50 to rent, lease or otherwise sell the right to do so to any person, public or  
51 private; further, to obtain grants, loans and assistance from the United States,

- 1 the State of North Carolina, any public body, or any private source  
2 whatsoever, but may not operate or contract for the operation of public  
3 transportation systems outside the territorial jurisdiction of the Authority  
4 except as provided by subdivision (20) of this ~~section~~section.
- 5 (19) To enter into and perform contracts and agreements with other public  
6 transportation authorities, regional public transportation authorities or units of  
7 local government pursuant to the provisions of G.S. 160A-460 through  
8 160A-464 (Part 1 of Article 20 of Chapter 160A of the General Statutes);  
9 further to enter into contracts and agreements with private transportation  
10 companies, but this subdivision does not authorize the operation of, or  
11 contracting for the operation of, service of a public transportation system  
12 outside the service area of the ~~Authority~~Authority.
- 13 (20) To operate public transportation systems extending service into any political  
14 subdivision of the State of North Carolina unless a particular unit of local  
15 government operating its own public transportation system or franchising the  
16 operation of a public transportation system by majority vote of its governing  
17 board, shall deny ~~consent, but such service consent~~. Service provided under  
18 this subdivision may not extend more than 10 miles outside of the territorial  
19 jurisdiction of the authority, except that ~~vanpool—vanpool, buspool, and~~  
20 ~~carpool~~ service shall not be subject to that mileage ~~limitation~~limitation.
- 21 (21) Except as restricted by covenants in bonds, notes, or equipment trust  
22 certificates, to set in its sole discretion rates, fees and charges for use of its  
23 public transportation ~~system~~system.
- 24 (22) To do all things necessary or convenient to carry out its purpose and to  
25 exercise the powers granted to the ~~Authority~~Authority.
- 26 (23) To collect or contract for the collection of taxes which it is authorized by law  
27 to ~~levy~~levy.
- 28 (24) To issue bonds or other obligations of the Authority as provided by law and  
29 apply the proceeds thereof to the financing of any public transportation system  
30 or any part thereof and to refund, whether or not in advance of maturity or the  
31 earliest redemption date, any such bonds or other ~~obligations~~and obligations.
- 32 (25) To contract for, or to provide and maintain, with respect to the facilities and  
33 property owned, leased with or without option to purchase, operated or under  
34 the control of the Authority, and within the territory thereof, a security force  
35 to protect persons and property, dispense unlawful or dangerous assemblages  
36 and assemblages which obstruct full and free passage, control pedestrian and  
37 vehicular traffic, and otherwise preserve and protect the public peace, health,  
38 and safety; for these purposes a member of such force shall be a peace officer  
39 and, as such, shall have authority equivalent to the authority of a police officer  
40 of the city or county in which said member of such force is discharging such  
41 duties.
- 42 (26) To contract for the purchase, lease, or other acquisition of any apparatus,  
43 supplies, materials, or equipment for public transit purposes with any person  
44 or entity that, within the previous 60 months, after having completed a public  
45 formal bid process substantially similar to that required by Article 8 of  
46 Chapter 143 of the General Statutes or through the competitive proposal  
47 method provided in G.S. 143-129(h), has contracted to furnish the apparatus,  
48 supplies, materials, or equipment to any unit or agency approved in  
49 G.S. 143-129(g) if the person or entity is willing to furnish the items at the  
50 same or more favorable prices, terms, and conditions as those provided under  
51 the contract with the other unit or agency. Any purchase made under this

1 section shall be approved by the Board of Trustees as provided in  
2 G.S. 143-129(g)."

3 **SECTION 2.** G.S. 160A-601(4) reads as rewritten:

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

12 **SECTION 3.** This act becomes effective July 1, 2025.