

NORTH CAROLINA GENERAL ASSEMBLY
1969 SESSION

CHAPTER 794
SENATE BILL 630

1 AN ACT TO AMEND CHAPTER 136 OF THE GENERAL STATUTES SO AS TO
2 AUTHORIZE THE STATE HIGHWAY COMMISSION TO MAKE CERTAIN
3 IMPROVEMENTS IN URBAN AREAS TO REDUCE TRAFFIC CONGESTION.
4

5 The General Assembly of North Carolina do enact:
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7 **Section 1.** Chapter 136 of the General Statutes is hereby amended by adding a new
8 section to Article 3A as the same appears in the 1964 Replacement Volume 3B, as amended by
9 the 1967 Cumulative Supplement to Volume 3B, to read as follows:

- 10 1. The State Highway Commission is authorized to enter into contracts with
11 municipalities for highway improvement projects which are a part of an
12 over-all plan authorized under the provisions of Section 135 of Title 23 of
13 the United States Code, the purpose of which is to facilitate the flow of
14 traffic in urban areas. In connection with these contracts, the State Highway
15 Commission and the municipalities are authorized to enter into contracts for
16 improvement projects on the municipal system of streets, and pursuant to
17 contract with the municipalities, the State Highway Commission is
18 authorized to construct or to let to contract the said improvement projects on
19 streets on the municipal street system; provided that no portion of the cost of
20 the improvements made on the municipal street system shall be paid from
21 State Highway Commission funds except the proportionate share of funds
22 received from the Federal Highway Administration and allocated for the
23 purposes set out in Section 135 of Title 23 of the United States Code.
24 Pursuant to contract with the State Highway Commission, the municipalities
25 may construct or let to contract the said improvement projects on the
26 municipal street system and the State Highway Commission is authorized to
27 pay over to the municipalities the proportionate share of funds received
28 pursuant to Section 135 of Title 23 of the United States Code; provided that
29 no portion of the cost of the improvements made on the municipal street
30 system shall be paid for from State Highway Commission funds except those
31 received from the Federal Highway Administration and allocated for the
32 purpose set out in Section 135 of Title 23 of the United States Code.
- 33 2. The municipalities are authorized to enter into contracts with the State
34 Highway Commission for improvement projects which are a part of an over-
35 all plan authorized under the provisions of Section 135 of Title 23 of the
36 United States Code, the purpose of which is to facilitate the flow of traffic in
37 urban areas, on the State Highway System streets within the municipalities
38 with the approval of the Federal Highway Administration. Pursuant to
39 contract for the foregoing improvement projects, the municipalities are
40 authorized to construct or let to contract the said improvement projects and
41 the State Highway Commission is authorized to reimburse the municipalities
42 for the cost of the construction of the said improvement projects.

3. The municipalities in which improvements are made pursuant to Section 135 of Title 23 of the United States Code shall provide proper maintenance and operation of such completed projects and improvements on the municipal system streets or will provide other means for assuring proper maintenance and operation as is required by the State Highway Commission. In the event the municipality fails to maintain such project or provide for their proper maintenance, the State Highway Commission is authorized to maintain the said projects and improvements and deduct the cost from allocations to the municipalities made under the provisions of G.S. 136-41.1.

Sec. 2. Subsection 12 of Section 18 of Chapter 136 of the General Statutes is hereby amended by deleting the first two sentences thereof and inserting in lieu thereof the following: "The State Highway Commission shall have such powers as are necessary to comply fully with the provisions of the present or future Federal Aid Acts. The said Commission is hereby authorized to enter into all contracts and agreements with the United States Government relating to survey, construction, improvement and maintenance of roads, urban area traffic operations studies and improvement projects on the streets on the State Highway System and on the municipal system in urban areas, under the provisions of the present or future congressional enactments, to submit such scheme or program of construction or improvement and maintenance as may be required by the Secretary of Transportation or otherwise provided by Federal Acts, and to do all other things necessary to carry out fully the cooperation contemplated and provided for by present or future aid acts of Congress for the construction or improvement and maintenance of Federal Aid of State Highways."

Sec. 3. Section 66.2 of Chapter 136 of the General Statutes as the same appears in the 1964 Replacement Volume 3B is hereby amended by inserting the word "construction" following the word "markings" in line 9 thereof.

Sec. 4. All laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 5. This Act shall become effective upon its ratification.

In the General Assembly read three times and ratified, this the 11th day of June, 1969.