

GENERAL ASSEMBLY OF NORTH CAROLINA
1983 SESSION

CHAPTER 1020
SENATE BILL 817

AN ACT ALLOWING THE DEPARTMENT OF TRANSPORTATION TO INCLUDE
A MUNICIPAL STREET AS PART OF THE RIGHT-OF-WAY WHEN
IMPROVING A STATE HIGHWAY.

The General Assembly of North Carolina enacts:

Section 1. Article 3A of Chapter 136 of the General Statutes is amended by adding a new section to read:

"§ 136-66.7. Authority to include a Municipal Street System street in right-of-way of State Highway System.—(a) Notwithstanding any other provisions of Article 3A of Chapter 136, the provisions of Article 15 of Chapter 160A, or of any other statute, the Department of Transportation may include all or part of a Municipal Street System street as part of the right- of-way of a State Highway System street, highway, or bridge whenever the Board of Transportation determines that inclusion of the Municipal Street System street is necessary to improve, relocate, or construct a State Highway System street, highway, or bridge.

(b) Beginning January 1, 1985, the Department may not exercise such authority unless 90 days written notice to the governing body of the affected municipality is provided; and the Department shall hold a public hearing on the issue with 30 days published notice upon the written official request of the governing body received by the Department no less than 45 days after receipt of the notice to the governing body."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 28th day of June, 1984.