

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

S

D

SENATE DRS65229-RW-24 (3/27)

Short Title: MPO/RTO Transportation Planning Funding. (Public)

Sponsors: Senator Clodfelter.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS FOR THE PLANNING ACTIVITIES OF RECENTLY CREATED RURAL TRANSPORTATION PLANNING ORGANIZATIONS, TO AUTHORIZE METROPOLITAN PLANNING ORGANIZATIONS IN NONATTAINMENT AREAS TO APPLY FOR STATE FUNDS TO AVOID AIR QUALITY CONFORMITY LAPSES AND TO APPROPRIATE FUNDS FOR THAT PURPOSE, AND TO AUTHORIZE LOCAL GOVERNMENTS IN NONATTAINMENT AREAS TO APPLY FOR PLANNING FUNDS AND TO APPROPRIATE FUNDS FOR THAT PURPOSE.

Whereas, air quality in the State continues to worsen; and

Whereas, improved transportation strategies are vital to improving air quality in the State; and

Whereas, several regions of the State risk losing federal-aid highway funds due to their inability to address air quality concerns; and

Whereas, well-funded local transportation planning efforts are needed to partner with the State Department of Transportation in developing plans and strategies to avoid the loss of federal-aid highway funds; Now, therefore,
The General Assembly of North Carolina enacts:

SECTION 1. There is appropriated one million dollars (\$1,000,000) in fiscal year 2003-2004 from the Highway Fund to the Department of Transportation to fund the activities of Rural Transportation Planning Organizations created pursuant to Article 17 of Chapter 136 of the General Statutes.

SECTION 2. Article 16 of Chapter 136 of the General Statutes is amended by adding a new section to read:

"§ 136-200.5. Matching funds for Metropolitan Planning Organizations located in nonattainment areas or maintenance areas.

1 (a) Application. – The lead planning agency for any Metropolitan Planning
2 Organization located in an area designated as a nonattainment or maintenance area
3 under the federal Clean Air Act (42 U.S.C. § 7401, et seq.) may apply to the
4 Department of Transportation for funds to avoid a plan conformity lapse.

5 (b) Matching Required. – Funds provided under this section shall be matched one
6 for one by the local applicant agency.

7 (c) Use of Funds. – Funds provided under this section shall be used by the local
8 applicant agency only to avoid a plan conformity lapse.

9 (d) Limit on Funds. – The Department shall not provide more than one million
10 dollars (\$1,000,000) per fiscal year to any lead planning organization of a Metropolitan
11 Planning Organization pursuant to this section.

12 (e) Payback Required. – Any funds provided to a lead planning organization of a
13 Metropolitan Planning Organization under this section shall be repaid within five years,
14 either from local sources or as an offset against planning funds that might otherwise
15 have been made available from the Department to the lead planning organization."

16 **SECTION 3.** There is appropriated two million dollars (\$2,000,000) in fiscal
17 year 2003-2004 from the Highway Fund to the Department of Transportation to
18 implement the provisions of Section 2 of this act.

19 **SECTION 4.** Article 16 of Chapter 136 of the General Statues is amended by
20 adding a new section to read:

21 **"§ 136-200.6. Funds for local transportation planning efforts in areas designated**
22 **nonattainment areas or maintenance areas.**

23 (a) Application. – A regional transportation planning agency in an area
24 designated as a nonattainment or maintenance area under the federal Clean Air Act (42
25 U.S.C. § 7401, et seq.) that has policy-setting authority for the entire designated area
26 and that is representative of all local governments within the area, may apply to the
27 Department of Transportation for funds to support local transportation planning efforts
28 in that local government's region.

29 (b) Matching Required. – Funds provided under this section shall be matched one
30 for one by the applicant agency.

31 (c) Use of Funds. – Funds provided under this section shall only be used by the
32 local applicant agency to support regional transportation planning within the designated
33 area.

34 (d) Local Staff Required. – Funds shall be provided under this section only if
35 local governments in the designated area support and supply staff to the regional
36 transportation planning agency.

37 (e) Limit on Funds. – The Department shall not provide more than one million
38 dollars (\$1,000,000) in any fiscal year to any agency pursuant to this section."

39 **SECTION 5.** There is appropriated three million dollars (\$3,000,000) in
40 fiscal year 2003-2004 from the Highway Fund to the Department of Transportation to
41 implement the provisions of Section 4 of this act.

42 **SECTION 6.** This act becomes effective July 1, 2003.