

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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SENATE BILL 1035

Short Title: DOT Environmental Rule Cost Analysis.

(Public)

Sponsors: Senator Jenkins.

Referred to: Agriculture/Environment/Natural Resources.

March 24, 2005

A BILL TO BE ENTITLED

AN ACT TO REQUIRE AN ANALYSIS OF THE POTENTIAL INCREASED COST TO DEPARTMENT OF TRANSPORTATION CONSTRUCTION OR MAINTENANCE PROJECTS OF ANY NEW STATE RULE OR POLICY AFFECTING ENVIRONMENTAL PERMITTING FOR DEPARTMENT OF TRANSPORTATION PROJECTS, PRIOR TO THE ADOPTION OF THE RULE OR POLICY, AND TO REQUIRE APPROVAL OF ANY NEW STATE ENVIRONMENTAL PERMITTING RELATED RULE OR POLICY BY THE BOARD OF TRANSPORTATION.

The General Assembly of North Carolina enacts:

SECTION 1. Chapter 136 of the General Statutes is amended by adding a new section to read:

"§ 136-44.7C. Analysis and approval of State rule or policy affecting environmental permitting.

(a) Analysis Required. – All State departments and agencies shall conduct an analysis of any new rule or policy affecting environmental permitting of Department of Transportation projects prior to the effective date of the rule or policy to determine if the rule or policy will result in an increased cost to Department of Transportation projects.

(b) Report of Analysis; Approval or Rule or Policy Required. – The analysis of the proposed rule or policy required by subsection (a) of this section shall be reported to the Board of Transportation at least 30 days prior to the proposed effective date of the rule or policy. The proposed rule or policy shall not become effective until approved by the Board of Transportation."

SECTION 2. This act is effective on and after May 1, 2004.