

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE BILL 1118

Short Title: North Carolina Highway Trust Fund Changes. (Public)

Sponsors: Representatives Blust; Barnhart, Blackwood, Cleveland, Current, Dockham, Folwell, Gulley, Hilton, Hurley, Langdon, Luebke, McGee, Samuelson, and Stam.

Referred to: Transportation, if favorable, Appropriations.

March 28, 2007

A BILL TO BE ENTITLED

AN ACT TO MODIFY THE AUTHORIZATION FOR THE SECRETARY OF TRANSPORTATION TO TRANSFER FUNDS FROM THE HIGHWAY TRUST FUND AND TO PROVIDE A FORMULA FOR TRANSFER OF FUNDS TO MEET NEEDS BASED ON POPULATION OR CONGESTION AND TO REVISE THE HIGHWAY TRUST FUND ALLOCATION FORMULA.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 136-176(b1) reads as rewritten:

"(b1) The Secretary may authorize the transfer of funds allocated under subdivisions (1) through (4) of subsection (b) of this section to other projects that are ready to be let and were to be funded from allocations to those ~~subdivisions~~ subdivisions and to projects for congestion mitigation. ~~The Secretary shall ensure that any funds transferred pursuant to this subsection are repaid promptly and in any event in no more than four years. The Secretary shall certify, prior to making any transfer pursuant to this subsection, that the transfer will not affect the delivery schedule of Highway Trust Fund projects in the current Transportation Improvement Program. No transfers shall be allowed that do not conform to the applicable provisions of the equity formula for distribution of funds, G.S. 136-17.2A.~~

Transfers made for the purpose of mitigating or reducing congestion shall be made on the basis of either:

- (1) The ratio that the population the county or counties in which the project is located bears to the total State population.
- (2) The need for reducing congestion on a roadway based on statewide ranking of projects determined by taking the average daily volume of vehicles divided by the design capacity and then multiplied by the accident rate of the facility divided by the statewide average accident

1 rate for facilities of this type [(Volume/Capacity) x (Accident rate of
2 facility/statewide average accident rates for facilities of this type)].

3 The Secretary shall adjust the transfer of funds to make up for excess transfers that
4 were previously done to attempt to promptly repay transfers made for purposes other
5 than congestion mitigation.

6 If the Secretary authorizes a transfer pursuant to this subsection, the Secretary shall
7 report that decision to the next regularly scheduled meetings of the Joint Legislative
8 Commission on Governmental Operations, the Joint Legislative Transportation
9 Oversight Committee, and to the Fiscal Research Division."

10 **SECTION 2.** G.S. 136-17.2A(b) reads as rewritten:

11 "(b) Until ninety percent (90%) of the mileage of the Intrastate System projects
12 listed in G.S. 136-179 is completed, the Secretary of Transportation shall, on or before
13 October 1 of each year, calculate the estimated amount of funds subject to this section
14 that will be available for the next seven program years beginning that October 1. The
15 Secretary shall then calculate a tentative percentage share for each distribution region by
16 multiplying the total estimated amount by a factor that is based:

- 17 (1) ~~Twenty five percent (25%)~~ Fifty percent (50%) on the estimated
18 ~~number of miles to complete the Intrastate System projects in that~~
19 ~~distribution region compared to the estimated number of miles to~~
20 ~~complete the total Intrastate System;~~ vehicle miles driven in that
21 distribution region compared to the total vehicle miles driven in the
22 State.
- 23 (2) ~~Fifty percent (50%)~~ Twenty-five percent (25%) on the estimated
24 population of the distribution region compared to the total estimated
25 population of the State; and
- 26 (3) Twenty-five percent (25%) on the ~~fraction one seventh, which~~
27 ~~provides an equal share based on the number of distribution regions.~~
28 need for reducing congestion on a roadway based on statewide ranking
29 of projects determined by taking the average daily volume of vehicles
30 divided by the design capacity and then multiplied by the accident rate
31 of the facility divided by the statewide average accident rate for
32 facilities of this type [(Volume/Capacity) x (Accident rate of
33 facility/statewide average accident rates for facilities of this type)]."

34 **SECTION 3.** G.S. 136-17.2A(c) reads as rewritten:

35 "(c) When ninety percent (90%) of the mileage of the Intrastate System projects
36 listed in G.S. 136-179 is completed, the Secretary of Transportation shall, on or before
37 October 1 of each year, calculate the estimated amount of funds subject to this section
38 that will be available for the next seven program years beginning that October 1. The
39 Secretary shall then calculate a tentative percentage share for each distribution region by
40 multiplying the total estimated amount by a factor that is based:

- 41 (1) ~~Sixty-six percent (66%)~~ Fifty percent (50%) on the estimated
42 population of the distribution region compared to the total estimated
43 population of the State; and

1 (2) ~~Thirty four percent (34%)~~ Fifty percent (50%) on the fraction
2 ~~one seventh, which provides an equal share based on the number of~~
3 ~~distribution regions of the miles driven in the distribution region~~
4 compared to the total vehicle miles driven in the State."

5 **SECTION 4.** G.S. 136-17.2A(d) is repealed.

6 **SECTION 5.** G.S. 136-17.2A(f) is repealed.

7 **SECTION 6.** G.S. 136-17.2A(h) is repealed.

8 **SECTION 7.** This act is effective when it becomes law.