

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007

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HOUSE BILL 802

Short Title: Contract Power/Department of Transportation.-AB (Public)

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Sponsors: Representatives Dickson; Alexander, Allen, and Current.

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Referred to: Transportation.

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March 15, 2007

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE THE DEPARTMENT OF TRANSPORTATION  
3 CONTRACTING AUTHORITY TO PROVIDE FOR TRANSPORTATION  
4 INFRASTRUCTURE AND LITTER REMOVAL FROM STATE  
5 RIGHTS-OF-WAY.

6 The General Assembly of North Carolina enacts:

7 SECTION 1. G.S. 136-18(39) reads as rewritten:

8 "§ 136-18. Powers of Department of Transportation.

9 The said Department of Transportation is vested with the following powers:

10 ...

11 (39) To enter into partnership agreements with the North Carolina Turnpike  
12 Authority, private entities, and authorized political subdivisions to  
13 finance, by ~~tolls~~ tolls, contracts, and other financing methods  
14 authorized by law, the cost of acquiring, constructing, equipping,  
15 maintaining, and operating ~~highways, roads, streets, and~~  
16 ~~bridges~~ transportation infrastructure in this State. An agreement entered  
17 into under this subdivision requires the concurrence of the Board of  
18 Transportation."

19 SECTION 2. G.S. 136-28.1 is amended by adding a new subsection to read:

20 "§ 136-28.1. Letting of contracts to bidders after advertisement; exceptions.

21 ...

22 (l) The Department of Transportation may implement up to two contracts for  
23 public private participation in providing litter removal from State right-of-way.  
24 Selection of firms to perform this work shall be made using a best value procurement  
25 process and shall be without regard to other provisions of law regarding the "Adopt a  
26 Highway" program administered by the Department. Acknowledgement of sponsors in  
27 the program may be indicated by appropriate signs that shall be owned by the  
28 Department of Transportation. The size, style, specifications, and content of the signs  
29 shall be determined in the sole discretion of the Department of Transportation. The

- 1 Department of Transportation may issue guidelines, rules, and policies necessary to  
2 administer the program."  
3       **SECTION 3.** This act is effective when it becomes law.