

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE BILL 802
Committee Substitute Favorable 5/22/07

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

Sponsors:

Referred to:

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~~ State, with priority
17 given to highways, roads, streets, and bridges. An agreement entered
18 into under this subdivision requires the concurrence of the Board of
19 Transportation. The Department shall report to the Chairs of the Joint
20 Legislative Transportation Oversight Committee, the Chairs of the
21 House of Representatives Appropriations Subcommittee on
22 Transportation, and the Chairs of the Senate Appropriations
23 Committee on the Department of Transportation, at the same time it
24 notifies the Board of Transportation of any proposed agreement under
25 this subdivision."

26 **SECTION 2.** G.S. 143B-350(f)(12a) reads as rewritten:

27 "(12a) To approve partnership agreements with the North Carolina Turnpike
28 Authority, private entities, and authorized political subdivisions to
29 finance, by ~~tolls~~ tolls, contracts, and other financing methods

1 authorized by law, the cost of acquiring, constructing, equipping,
2 maintaining, and operating ~~highways, roads, streets, and~~
3 ~~bridges~~ transportation infrastructure in this State. ~~State,~~ with priority
4 given to highways, roads, streets, and bridges."

5 **SECTION 3.** G.S. 136-28.1 is amended by adding a new subsection to read:

6 **"§ 136-28.1. Letting of contracts to bidders after advertisement; exceptions.**

7 ...

8 (l) The Department of Transportation may enter into as many as two pilot
9 contracts for public private participation in providing litter removal from State
10 right-of-way. Selection of firms to perform this work shall be made using a best value
11 procurement process and shall be without regard to other provisions of law regarding
12 the Adopt-A-Highway Program administered by the Department. Acknowledgement of
13 sponsors may be indicated by appropriate signs that shall be owned by the Department
14 of Transportation. The size, style, specifications, and content of the signs shall be
15 determined in the sole discretion of the Department of Transportation. The Department
16 of Transportation may issue rules and policies necessary to implement this section."

17 **SECTION 4.** This act is effective when it becomes law.