



SENATE BILL 654: Map Act/Clarifications

2015-2016 General Assembly

Committee:

Introduced by:

Analysis of: S.L. 2015-151

Date:

Prepared by: Wendy Graf Ray
Staff Attorney

SUMMARY: *S.L. 2015-151 requires the Department of Transportation to defend, indemnify, and hold harmless the Wilmington Urban Area Metropolitan Planning Organization and its members for any claims arising out of its adoption, filing, or amendment of a corridor map; and makes conforming changes.*

The indemnification language added by this act became effective July 16, 2015, and applies to maps filed, adopted, or amended before that date. The remainder of this act became effective July 16, 2015, and applies to maps filed, adopted, or amended before, on, or after that date.

CURRENT LAW: The Transportation Corridor Official Map Act was enacted in 1987, and it authorizes the Department of Transportation and other governing bodies to adopt and file transportation corridor maps, which place restrictions on property located within a corridor.

In 2006, the Wilmington Urban Area Metropolitan Planning Organization was added to the list of entities authorized to adopt and amend transportation corridor maps under the Map Act, for two specified projects, U-4751¹ and R-3300. The Wilmington MPO filed a map under the Map Act for one project, R-3300, the US 17 bypass of Hampstead.

BILL ANALYSIS: The act does the following:

- Directs the North Carolina Department of Transportation to "defend, indemnify, and hold harmless the Wilmington Urban Area Metropolitan Planning Organization and its members against any claims, civil actions, and proceedings related to or arising out of the Wilmington Urban Area Metropolitan Planning Organization's adoption, filing, or amendment of a transportation corridor official map".
- Makes conforming changes throughout provisions in the Map Act that were not made when the Wilmington Urban Area Metropolitan Planning Organization was authorized to adopt and amend the two specified corridor maps under the Act in 2006.

EFFECTIVE DATE: The change to (g) of G.S. 136-44.50 is effective when the act becomes law, and applies to maps filed, adopted, or amended before that date. The remainder of the act is effective when it becomes law and applies to filings, adoptions, or amendments before, on, or after that date.

¹ Project U-4751 is an extension of Military Cutoff Road on new location from Market Street (US 17 Business) to the US 17 Wilmington Bypass (John Jay Burney Jr. Freeway).

O. Walker Reagan
Director



Research Division
(919) 733-2578