



SENATE BILL 99: Appropriations Act of 2018, Sec. 34.5: Toll Road and Lane Clarifications

2017-2018 General Assembly

Committee:		Date:	August 13, 2018
Introduced by:		Prepared by:	Howard Marsilio Staff Attorney
Analysis of:	Sec. 34.5 of S.L. 2018-5		

OVERVIEW: *Section 34.5 of S.L. 2018-5 clarifies toll revenue uses and revises amounts the North Carolina Department of Transportation (NCDOT) must make available for construction of projects using funding from toll revenue.*

This section became effective on June 12, 2018. Modifications to toll revenue uses apply to revenues derived on or after that date. The HOT lane reporting requirement applies to projects whose contracts are advertised on or after that date.

CURRENT LAW: Article 14B of Chapter 136, Strategic Prioritization Funding Plan for Transportation Investments (STI), allocates available funds in the Highway Trust Fund for projects based on data-driven scoring, local input, and other factors. Projects are divided into three general categories: Division Need Projects, Regional Impact Projects, and Statewide Strategic Mobility Projects as defined within the Article.

NCDOT may revise highway project selection ratings under STI law based on local government funding initiatives and capital construction funding from highway toll revenue.

BILL ANALYSIS: Subsection (a) clarifies the application of revenues to costs associated with toll projects from which the revenue was derived or a contiguous toll facility, and removes the restriction on uses of toll revenues generated from converted segments of the State highway system that were previously planned for operation as a nontoll facility.

Subsection (b) requires NCDOT to submit a report to the Joint Legislative Transportation Oversight Committee 90 days prior to letting contracts for the designation of high-occupancy toll (HOT) lanes or other types of managed lanes. This does not apply to a proposed North Carolina Turnpike Authority project that is subject to the other reporting requirements.

Subsection (c) specifies that NCDOT must make an allocation of one-half of the revenue expected from the project over the first 10-years, less operation costs, for a toll project in which no project construction cost is derived from toll revenue bonds.

EFFECTIVE DATE: This section became effective on June 12, 2018. Modifications to toll revenue uses apply to revenues derived on or after that date. The HOT lane reporting requirement applies to projects whose contracts are advertised on or after that date.