



HOUSE BILL 620: Street Database/Manual/Public Record Except.

2019-2020 General Assembly

Committee: Senate Rules and Operations of the Senate	Date: July 2, 2019
Introduced by: Reps. Szoka, Bumgardner, Hawkins, Iler	Prepared by: Howard Marsilio
Analysis of: Third Edition	Staff Attorney

OVERVIEW: House Bill 620 would:

- *Require the North Carolina Department of Transportation (NCDOT) to compile a readily available Public Street Information Database.*
- *Require NCDOT to update its Subdivision Roads Minimum Construction Standards Manual.*
- *Amend the public records law to designate proprietary design work, work product, and certain intra-agency communications as confidential during the competitive bid process.*
- *Amend public street designation requirements for plat or map recording.*

[As introduced, this bill was identical to S480, as introduced by Sens. McInnis, J. Davis, D. Davis, which is currently in Senate Transportation.]

CURRENT LAW/BILL ANALYSIS:

Section 1 would require the NCDOT to compile a readily available "Public Street Information Database" by January 1, 2020, which would be updated monthly and convey information regarding the status of certain roads, which are:

- Federally owned.
- State-maintained with a State road number assigned.
- State-owned with a State road number assigned.

Section 2 would require the NCDOT to update the Subdivision Roads Minimum Construction Standards Manual by July 1, 2020, and regularly thereafter, and to report updates to the Manual to the Joint Legislative Transportation Oversight Committee.

Section 3:

Currently, Chapter 132 of the General Statutes outlines what is considered a public record, and also designates certain documents and information as confidential information, which is not subject to disclosure under public records laws.

Section 3 would amend the public records law to designate proprietary design work, work product, and intra-agency communications related to review of a proposal as confidential information during the competitive bid process. These documents would only remain confidential during the competitive bid process and would be subject to disclosure upon contract award.

Section 4:

Karen Cochrane-Brown
Director



Legislative Analysis
Division
919-733-2578

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Currently, the right-of-way of any new street or change in an existing street shall be delineated upon the map or plat with particularity and such streets shall be designated to be either public or private. Any street designated on the plat or map as public shall be conclusively presumed to be an offer of dedication to the public of such street, however, this does not ensure that streets designated as public will become adopted and maintained as public as that process occurs later in time. This section would require that recorded maps and plats contain the conspicuous statement:

"ANY STREET DESIGNATED ON THIS PLAT OR MAP AS PUBLIC, PURSUANT TO G.S. 136-102.6, SHALL BE CONCLUSIVELY PRESUMED TO BE AN OFFER OF DEDICATION TO THE PUBLIC OF SUCH STREET. THIS DESIGNATION DOES NOT ENSURE THAT A STREET HAS BEEN OR WILL BE ACCEPTED, ADOPTED OR MAINTAINED AS PUBLIC."

EFFECTIVE DATE: Section 4 would become effective January 1, 2021, and the remainder of this act would become effective when it becomes law.