



HOUSE BILL 593: Various General Local Laws.

2023-2024 General Assembly

Committee: Senate Finance
Introduced by: Rep. Gillespie
Analysis of: Third Edition

Date: June 24, 2024
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OVERVIEW: House Bill 593 would:

- Provide an additional civil penalty for violating motor vehicle restrictions on a designated road segment in Macon County.
- Amend certain regulations applicable to sanitary districts.
- Clarify that funds allocated to City of Saluda for construction of a water or wastewater project includes the Towns of Columbus and Tryon.

The finance-related provision in the bill, which is Section 4 of the bill, would allow a sanitary district board to extend the boundaries of the sanitary district to include all of the contiguous corporate areas of any municipality requesting inclusion into the sanitary district by resolution.

CURRENT LAW and BILL ANALYSIS:

Civil Penalty for Violation of Motor Vehicle Laws on Cullasaja Gorge

G.S. 20-115.1 provides length limitations for motor vehicle combinations consisting of truck tractors and tandem trailers or semitrailers. It further authorizes the Department of Transportation to provide for additional prohibitions on portions of any route on the State highway system if operation of a motor vehicle combination on the route cannot be safely accommodated.

The Department of Transportation has adopted a rule prohibiting truck tractors with trailers longer than 30 feet on a segment of US Route 64 between State Road 1533 and NC Highway 106 in Macon County. Violations are punishable under G.S. 20-115.1 as an infraction for the owner and a Class 3 misdemeanor for the driver with only a monetary penalty of \$100 if the semitrailer is less than 50 feet long and \$200 if the semitrailer is 50 feet or longer.

Section 1 would make violation of the motor vehicle combination length restrictions on the segment of US 64 between SR 1533 and NC 106 in Macon County subject to an additional civil penalty.

The additional civil penalty would be assessed under G.S. 20-118(e), which provides monetary penalties for violations of vehicle weight limits and would be calculated based on the amount by which the vehicle combination's gross vehicle weight rating exceeds 20,000 pounds. Penalties are assessed against an owner or registrant of a vehicle in violation of vehicle weight ratings as follows: (i) four cents per pound for the first 1,000 pounds, (ii) six cents per pound for the next 1,000 pounds, and (iii) ten cents per pound for each additional pound thereafter.

This section would become effective December 1, 2024, and would apply to offenses committed on or after that date.

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Sanitary District Changes

Elections G.S. 130A-50 provides for the composition, manner of election and terms of office for sanitary district boards. Under G.S. 130A-50, a sanitary district board must be comprised of either three or five members who must be residents of the sanitary district and must serve two- or four-year terms which may be staggered or unstagged as determined by the county board of commissioners.

Section 2 would amend G.S. 130A-50 to require that for sanitary districts lying wholly within a county with more than 17 municipalities lying wholly within that county:

- A sanitary district board adopt single-member residency districts in which only a person residing in the district is eligible as a candidate for the seat apportioned to that district, but candidates are elected at-large by the qualified voters of the entire sanitary district.
- Sanitary district boundaries be adopted in a resolution following a public hearing.
- The most recent federal decennial census data be used as the basis of population for establishing the single-member residency districts and any revision of the single-member residency districts after each census.
- Board members serve staggered terms.

Boundaries Under G.S. 130A-69, 130A-70, and 130A-71.1, a sanitary district may be expanded (i) on petition of property owners contiguous to and adjoining the sanitary district and after successful referendum; (ii) simultaneously with corporate limits of a city or town on petition of property owners within the area proposed for annexation and after successful referendum; and (iii) by satellite annexation when a municipality which lies within a sanitary district receives a petition for annexation and the municipality petitions the sanitary district to annex the same area. Sanitary districts are authorized to levy taxes on property within the district in order to carry out the powers and duties conferred and imposed on the district by law, and to pay the principal of and interest on bonds and notes of the district.

Section 4 would add a new section, G.S. 130A-70.2, to allow a sanitary district board to extend the boundaries of the sanitary district to include all of the contiguous corporate areas of any municipality requesting inclusion into the sanitary district by resolution.

The sanitary district board would be required to hold a public hearing as soon as practicable after receiving the municipality's resolution, and be required to make the boundary change effective date, as determined by the sanitary district board, to coincide with the start of a fiscal or calendar year.

This section would be effective when it becomes law, and apply to any resolution from a municipality received by a sanitary district board on or after January 1, 2024.

City of Saluda and Towns of Columbus and Tryon Funds

Under S.L. 2023-13, the City of Saluda received an allocation of \$2,304,878 for the repayment of debt incurred by the City of Saluda for the construction of a water or wastewater project. S.L. 2024-1 requires funds allocated to the City of Saluda to be transferred to the Office of State Budget and Management for a grant to the city for repayment of debt incurred for construction of a water or wastewater project.

Section 3 would amend S.L. 2023-13 by adding the Towns of Columbus and Tryon as recipients of the allocation and would amend Section 4.2(h) of S.L. 2024-1 to require the funds that were allocated from the Towns of Columbus and Tryon to be transferred to the Office of State Budget and Management for a grant to the Towns for repayment of debt incurred for construction of a water or wastewater project.

EFFECTIVE DATE: Except as otherwise provided, this act would be effective when it becomes law.

Wendy Ray, Erika Churchill, Jessica Sammons, Brad Krehely, and Ike McRee, Staff Attorneys for the Legislative Analysis Division, contributed substantially to this summary.