

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

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HOUSE BILL 1130

Short Title: Municipal Secondary Roads Paved.

(Public)

Sponsors: Representatives Decker; and Sexton.

Referred to: Transportation.

April 12, 2001

A BILL TO BE ENTITLED

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2 AN ACT TO PROVIDE THAT A NEWLY INCORPORATED MUNICIPALITY
3 MAY WAIVE ITS POWELL BILL FUNDS AND HAVE SECONDARY ROADS
4 THAT WERE ON THE PAVEMENT PRIORITY LIST AND SCHEDULED TO
5 BE PAVED PRIOR TO INCORPORATION PAVED BY THE DEPARTMENT OF
6 TRANSPORTATION ACCORDING TO THE PRIORITY LIST.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** Section 169.1 of Chapter 321 of the 1993 Session Laws reads
9 as rewritten:

10 "Sec. 169.1. Notwithstanding any other provision of law, the Department of
11 Transportation shall maintain the streets and highways on the State highway system
12 within municipalities that are not eligible for funds under G.S. 136-41.2. The
13 Department of Transportation shall maintain the streets and highways as part of the
14 State secondary system, and maintain the paving priority for the secondary roads the
15 same as if the municipality were not incorporated, as long as the ineligibility for funds
16 under G.S. 136-41.2 continues. The provisions of this section apply only to
17 municipalities incorporated between July 1, 1989, and June 30, ~~1993-1993~~, and apply to
18 municipalities incorporated between May 8, 1996, and November 8, 1998, which are
19 ineligible for funds under G.S. 136-41.2(b)."

20 **SECTION 2.** This act is effective when it becomes law.