

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

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**HOUSE BILL 522
Committee Substitute Favorable 4/23/01**

Short Title: Cumberland Transportation Authority.

(Local)

Sponsors:

Referred to:

March 8, 2001

A BILL TO BE ENTITLED

1
2 AN ACT TO AUTHORIZE A REGIONAL TRANSPORTATION AUTHORITY FOR
3 CUMBERLAND COUNTY, THE CITY OF FAYETTEVILLE, THE TOWN OF
4 HOPE MILLS, AND THE TOWN OF SPRING LAKE.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** There is created a Regional Transportation Authority for
7 Cumberland County, the City of Fayetteville, the Town of Hope Mills, and the Town of
8 Spring Lake which shall have the authority and those powers set forth in Articles 26 and
9 27 of Chapter 160A of the General Statutes, not inconsistent herewith.

10 **SECTION 2.** G.S. 160A-602 reads as rewritten:

11 "**§ 160A-602. Definition of territorial jurisdiction of Authority.**

12 (a) An authority may be created for any area of the State that, at the time of
13 creation of the authority, meets the following criteria:

- 14 (1) The area consists of three counties:
15 (2) At least one of those counties contains at least part of a County
16 Research and Production Service District established pursuant to Part 2
17 of Article 16 of Chapter 153A of the General Statutes; and
18 (3) The other two counties each:
19 a. Contain at least one unit of local government that is designated
20 by the Governor of the State of North Carolina as a recipient
21 pursuant to Section 9 of the Urban Mass Transportation Act of
22 1964, as amended; and
23 b. Are adjacent to at least one county that contains at least part of
24 a County Research and Production Service District established
25 pursuant to Part 2 of Article 16 of Chapter 153A of the General
26 Statutes.

27 (b) An authority may be created for any county that, at the time of creation of the
28 authority, meets the following criteria:

- 1 (1) Has a population of at least 275,000 according to the most recent
- 2 decennial federal census;
- 3 (2) Has at least eight incorporated municipalities;
- 4 (3) Has one or more federal military enclaves; and
- 5 (4) Is a Mass Transportation Act recipient.

6 An authority created under this subsection has a territorial jurisdiction that includes
7 that county and an area within 15 miles of that county's boundaries."

8 **SECTION 3.** G.S. 160A-632 reads as rewritten:

9 "**§ 160A-632. Definition of territorial jurisdiction of Authority.**

10 (a) An authority may be created for the area of any Metropolitan Planning
11 Organization of the State that, at the time of creation of the authority, meets the
12 following criteria, such area being the initial territorial jurisdiction of the Authority:

- 13 (1) The area consists of all or part of five counties, all five counties of
14 which form a contiguous territory;
- 15 (2) At least two of those counties are contiguous to each other and each
16 have a population of 250,000 or over; and
- 17 (3) The other three counties each have a population of 100,000 or over.

18 (b) An authority may be created for any county that, at the time of creation of the
19 authority, meets the following criteria:

- 20 (1) Has a population of at least 275,000 according to the most recent
- 21 decennial federal census;
- 22 (2) Has at least eight incorporated municipalities;
- 23 (3) Has one or more federal military enclaves; and
- 24 (4) Is a Mass Transportation Act recipient.

25 An authority created under this subsection has a territorial jurisdiction that includes
26 that county and an area within 15 miles of that county's boundaries."

27 **SECTION 4.** G.S. 160A-605 is amended by adding a new subsection to
28 read:

29 "(g) An authority created under G.S. 160A-602(b) would be governed by a seven
30 member board of trustees, two to be appointed by the Fayetteville City Council, two to
31 be appointed by the Cumberland County Board of Commissioners, one to be appointed
32 by the Town of Spring Lake, one to be appointed by the Hope Mills Board of
33 Commissioners, and one at-large representative appointed by Fort Bragg, N.C., who
34 shall all be voting members and residents of the appointing jurisdiction except for the
35 at-large member, who shall reside within the territorial jurisdiction of the authority.
36 There shall be an additional ex officio, nonvoting member who shall reside within the
37 territorial jurisdiction of the authority, to be appointed by the North Carolina Secretary
38 of Transportation."

39 **SECTION 5.** G.S. 160A-635 is amended by adding a new subsection to
40 read:

41 "(g) An authority created under G.S. 160A-632(b) would be governed by a seven
42 member board of trustees, two to be appointed by the Fayetteville City Council, two to
43 be appointed by the Cumberland County Board of Commissioners, one to be appointed

1 by the Town of Spring Lake, one to be appointed by the Hope Mills Board of
2 Commissioners, and one at-large representative appointed by Fort Bragg, N.C., who
3 shall all be voting members and residents of the appointing jurisdiction except for the
4 at-large member, who shall reside within the territorial jurisdiction of the authority.
5 There shall be an additional ex officio, nonvoting member who shall reside within the
6 territorial jurisdiction of the authority, to be appointed by the North Carolina Secretary
7 of Transportation."

8 **SECTION 6.** G.S. 160A-606(a) reads as rewritten:

9 "(a) ~~Six~~ A majority of the members of the Board of Trustees shall constitute a
10 quorum for the transaction of business. Except as provided by G.S. 160A-605(a)(4),
11 each member shall have one vote."

12 **SECTION 7.** The powers, duties, functions, and authority of the Regional
13 Transportation Authority created by this act shall be generally consistent with the
14 powers, duties, functions, and authority of a Regional Transportation Authority created
15 under the Regional Public Transportation Authority Act, Article 26 of Chapter 160A of
16 the General Statutes and the Regional Transportation Authority Act, Article 27 of
17 Chapter 160A of the General Statutes except as may be amended herein, and any
18 decision on funding of the activities of the Regional Transportation Authority created
19 herein shall require a majority vote of all the voting members of the Regional
20 Transportation Authority.

21 **SECTION 8.** Sections 4 through 7 of this act apply only to Cumberland
22 County, the City of Fayetteville, the Town of Spring Lake, and the Town of Hope Mills.

23 **SECTION 9.** This act is effective when it becomes law.