

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001

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HOUSE BILL 644  
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Short Title: Toll Road and Bridge Authority Created.

(Public)

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Sponsors:

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Referred to:

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March 15, 2001

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE PUBLIC TOLL ROADS AND BRIDGES IN NORTH  
CAROLINA AND THE CREATION OF A TURNPIKE AUTHORITY.

The General Assembly of North Carolina enacts:

**SECTION 1.** Chapter 136 of the General Statutes is amended by adding a  
new Article to read:

"Article 6H.

"Public Toll Roads and Bridges.

**"§ 136-89.180. Legislative findings.**

The General Assembly finds that the existing State road system is becoming increasingly congested and overburdened with traffic in many areas of the State; that the sharp surge of vehicle miles traveled is overwhelming the State's ability to build and pay for adequate road improvements; and that an adequate answer to this challenge will require the State to be innovative and utilize several new approaches to transportation improvements in North Carolina.

Toll funding of highway construction is feasible in North Carolina and can contribute to addressing the critical transportation needs of the State. A toll program can speed the implementation of needed transportation improvements by funding some projects with tolls.

**"§ 136-89.181. Definitions.**

The following definitions apply to this Article:

(1) "Turnpike Authority" means the public agency created by this Article.

(2) "Turnpike Authority Board" means the governing board of the Turnpike Authority.

1           (3) "Turnpike Project" means a project planned and constructed in  
2 accordance with the provisions of this Article that is:

3           a. A primary or secondary road, bridge, or tunnel project located  
4 in whole or in part in a county with a population equal to or  
5 greater than six hundred fifty thousand (650,000) persons,  
6 according to the latest decennial census.

7           b. A primary or secondary road, bridge or tunnel project located in  
8 a county or counties that each have a population of fewer that  
9 six hundred fifty thousand (650,000) persons, according to the  
10 latest decennial census.

11           (4) "Turnpike System" means collectively all Turnpike Projects developed  
12 in accordance with the provisions of this Article.

13 **§ 136-89.182. North Carolina Turnpike Authority.**

14           (a) Creation. – There is created a body politic and corporate to be known as the  
15 "North Carolina Turnpike Authority". The Authority is constituted as a public agency,  
16 and the exercise by the Authority of the powers conferred by this Article in the  
17 construction, operation, and maintenance of toll roads and bridges shall be deemed and  
18 held to be the performance of an essential governmental function.

19           (b) Administrative Placement. – The Authority shall be located within the  
20 Department of Transportation for administrative purposes but shall exercise all of its  
21 powers independently of the Department of Transportation except as otherwise  
22 specified in this Article.

23           (c) Board of Directors. – The North Carolina Turnpike Authority shall be  
24 governed by a nine member Board of Directors consisting of three members appointed  
25 by the President Pro-Tempore of the Senate, three members appointed by the Speaker of  
26 the House of Representative, and two members appointed by the Governor, and the  
27 Secretary of Transportation. Each appointing authority shall appoint members who  
28 reside in diverse regions of the State. The Chair of the Authority shall be selected by the  
29 Board of Directors.

30           (d) Board of Transportation Members. – No more than two members of the North  
31 Carolina Board of Transportation may serve as members of the Authority Board.

32           (e) Staggered Terms. – Two of the initial appointments to the Authority Board by  
33 the Speaker Pro Tempore of the Senate and the Speaker of the House, and one initial  
34 appointment of the Governor, shall be appointed to terms ending January 14, 2007. One  
35 of the initial appointments to the Authority Board by the Speaker Pro Tempore of the  
36 Senate and the Speaker of the House, and one initial appointment of the Governor, shall  
37 be appointed to terms ending January 14, 2005. The Secretary of Transportation shall  
38 serve as an ex-officio voting member of the Board. Thereafter, at the expiration of each  
39 stipulated term of office, all appointments shall be to a term of four years from the date  
40 of the expiration of the term.

41           (f) Vacancies. – All members of the Authority Board shall remain in office until  
42 their successors are appointed and qualified. The original appointing authority may  
43 appoint a member to serve out the unexpired term of any member.

1       (g) Removal of Board Members. – Each member of the Authority Board,  
2 notwithstanding subsection (e) of this section, shall serve at the pleasure of the  
3 appointing authority. The Chair of the Authority serves at the pleasure of the Authority  
4 Board.

5       (h) Conflicts of Interest, Ethics – Members of the Authority Board shall be  
6 subject to provisions of G.S. 136-13, 136-13.1, and 136-14.

7       (i) Compensation. – The appointed members of the Authority Board shall  
8 receive no salary for their services but shall be entitled to receive per diem and travel  
9 allowances in accordance with the provisions of G.S. 138-5 and G.S. 138-6 as  
10 appropriate.

11       (j) Bylaws. – The Authority Board shall adopt, change, or amend bylaws with  
12 respect to the calling of meetings, quorums, voting procedures, the keeping of records,  
13 and other organizational, staffing, and administrative matters as the Authority Board  
14 may determine. Any bylaws, or subsequent changes or amendments to the bylaws, shall  
15 be submitted to the Board of Transportation and the Joint Legislative Transportation  
16 Oversight Committee for review and comment at least 45 days prior to adoption by the  
17 Authority Board.

18       (k) Executive Director and Administrative Employees. – The Authority Board  
19 shall appoint an Executive Director, whose salary shall be fixed by the Authority, to  
20 serve at its pleasure. The Executive Director shall be the Authority's chief  
21 administrative officer and shall be responsible for the daily administration of the toll  
22 roads and bridges constructed, maintained, or operated pursuant to this Article. The  
23 Executive Director or his designee shall appoint, employ, dismiss, and within the limits  
24 approved by the Authority Board, fix the compensation of administrative employees as  
25 the Executive Director deems necessary to carry out this Article. The Authority shall  
26 report the hiring of all administrative employees to the Joint Legislative Transportation  
27 Oversight Committee within 30 days of the date of employment.

28       (l) Office. – The offices of the Authority may be housed in one or more facilities  
29 of the Department of Transportation.

30 **"§ 136-89.183. Powers of the Authority.**

31       (a) The Authority shall have all of the powers necessary to execute the provisions  
32 of this Article including the following:

33           (1) The powers of a corporate body, including the power to sue and be  
34 sued, to make contracts, to adopt and use a common seal, and to alter  
35 the adopted seal as needed.

36           (2) To study, plan, develop, design, establish, purchase, construct, operate,  
37 and maintain a Turnpike Project, either on its own initiative or at the  
38 request of the Board of Transportation. The Authority shall be limited  
39 to planning and developing one turnpike project located in whole or in  
40 part in a county with a population equal to or greater than six hundred  
41 fifty thousand (650,000) persons, according to the latest decennial  
42 census, and one turnpike project located in a county or counties that  
43 each have a population of fewer than six hundred fifty thousand  
44 (650,000) persons, according to the latest decennial census.

- 1           (3)    To rent, lease, purchase, acquire, own, encumber, dispose of, or  
2           mortgage real or personal property, including the power to acquire  
3           property by eminent domain pursuant to G.S. 136-89.184.
- 4           (4)    To fix, revise, charge, and collect tolls and fees for the use of the  
5           Turnpike Projects. Sixty days prior to the effective date of any toll or  
6           fee for use of a Turnpike Facility, the Authority shall submit a  
7           description of the proposed toll or fee to the Board of Transportation,  
8           the Joint Legislative Transportation Oversight Committee and the Joint  
9           Legislative Commission on Governmental Operations for review.
- 10          (5)    To issue bonds or notes of the Authority as provided in this Article.
- 11          (6)    To establish, construct, purchase, maintain, equip, and operate any  
12          structure or facilities associated with the Turnpike System.
- 13          (7)    To pay all necessary costs and expenses in the formation, organization,  
14          administration, and operation of the Authority.
- 15          (8)    To apply for, accept, and administer loans and grants of money or real  
16          or personal property from any federal agency, from the State or its  
17          political subdivisions, local government, or from any other public or  
18          private sources available.
- 19          (9)    To adopt, alter, or repeal its own bylaws or rules implementing the  
20          provisions of this Article, in accordance with the review and comment  
21          requirements of G.S. 136-89.182(j).
- 22          (10)   To utilize employees of the Department of Transportation; to contract  
23          for the services of consulting engineers, architects, attorneys, real  
24          estate counselors, appraisers, and other consultants; to employ  
25          administrative staff as may be required in the judgment of the  
26          Authority; and to fix and pay fees or compensation to the Department,  
27          contractors, and administrative employees from funds available to the  
28          Authority.
- 29          (11)   To receive and use appropriations from the State.
- 30          (12)   To adopt procedures to govern its procurement of services and  
31          delivery of Turnpike Projects.
- 32          (13)   To perform or procure any portion of services required by the  
33          Authority.
- 34          (14)   To use officers, employees, agents, and facilities of the Department of  
35          Transportation for the purposes and upon the terms as may be mutually  
36          agreeable.
- 37          (15)   To contract for the construction, maintenance, and operation of a  
38          Turnpike Project.
- 39          (16)   To enter into partnership agreements, agreements with political  
40          subdivisions of the State, and agreements with private entities, and to  
41          expend such funds as it deems necessary, pursuant to such agreements,  
42          for the purpose of financing the cost of acquiring, constructing,  
43          equipping, operating, or maintaining any Turnpike Project.

1 (b) To execute the powers provided in subsection (a) of this section, the  
2 Authority shall determine its policies by majority vote of the members of the Authority  
3 present and voting, a quorum having been established. Once a policy is established, the  
4 Authority Board shall communicate it to the Executive Director or the Director's  
5 designee, who shall have the sole and exclusive authority to execute the policy of the  
6 Authority. No member of the Authority Board shall have the responsibility or authority  
7 to give operational directives to any employee of the Authority other than the Executive  
8 Director or the Director's designee.

9 **"§ 136-89.184. Acquisition of real property.**

10 (a) General. – The Authority may acquire public or private real property by  
11 purchase, negotiation, gift, or devise, or condemnation that it determines to be necessary  
12 and convenient for the construction, expansion, enlargement, extension, improvement,  
13 or operation of a Turnpike Project. When the Authority acquires real property owned by  
14 the State, the Secretary of the Department of Administration shall execute and deliver to  
15 the Authority a deed transferring fee simple title to the property to the Authority.

16 (b) Condemnation. – To exercise the power of eminent domain, the Authority  
17 shall commence a proceeding in its name and shall follow the procedure set forth in  
18 Article 9 of Chapter 136 of the General Statutes.

19 **"§ 136-89.185. Taxation of property of Authority.**

20 Property owned by the Authority is exempt from taxation in accordance with Section  
21 2 of Article V of the North Carolina Constitution.

22 **"§ 136-89.186. Audit.**

23 The operations of the Authority shall be subject to the oversight of the State Auditor  
24 pursuant to Article 5A of Chapter 147 of the General Statutes.

25 **"§ 136-89.187. Conversion of free highways prohibited.**

26 The Authority Board is prohibited from converting any segment of the nontolled  
27 State highway system to a toll facility.

28 **"§ 136-89.188. Use of revenues.**

29 (a) Revenues derived from Turnpike Projects authorized under this Article shall  
30 be used only for Authority administration costs; Turnpike Project development,  
31 construction, operation, and maintenance; and debt service on the Authority's revenue  
32 bonds.

33 (b) The Authority may use up to one hundred percent (100%) of the revenue  
34 derived from a Turnpike Project for debt service on the Authority's revenue bonds or for  
35 a combination of debt service and operation and maintenance expenses of the Turnpike  
36 Projects.

37 (c) The Authority shall use not more than five percent (5%) of total revenue  
38 derived from all Turnpike Projects for Authority administration costs.

39 **"§ 136-89.189. Turnpike Authority revenue bonds.**

40 The Authority shall be a municipality for purposes of Article 5 of Chapter 159 of the  
41 General Statutes, the State and Local Government Revenue Bond Act, and may issue  
42 revenue bonds pursuant to that Act to pay all or a portion of the cost of a Turnpike  
43 Project or to refund any previously issued bonds. In connection with the issuance of  
44 revenue bonds, the Authority shall have all powers of a municipality under the State and

1 Local Government Revenue Bond Act, and revenue bonds issued by the Authority shall  
2 be entitled to the protection of all provisions of the State and Local Government  
3 Revenue Bond Act.

4 **"§ 136-89.190. Sale of Turnpike Authority revenue bonds.**

5 Revenue bonds of the Authority issued pursuant to G.S. 136-89.189 and the State  
6 and Local Government Revenue Bond Act shall be sold in accordance with and  
7 pursuant to Article 7 of Chapter 159 of the General Statutes.

8 **"§ 136-89.191. Cost participation by Department of Transportation.**

9 The Department of Transportation may participate in the cost of preconstruction  
10 activities, construction, maintenance, or operation of a Turnpike Project.

11 **"§ 136-89.192. Equity distribution formula.**

12 Only those funds applied to a Turnpike Project from the State Highway Fund, State  
13 Highway Trust Fund, or federal-aid funds that might otherwise be used for other  
14 roadway projects within the State, and are otherwise already subject to the distribution  
15 formula under G.S. 136-17.2A, shall be included in the distribution formula.

16 Other revenue from the sale of bonds, project loans, or toll collections shall not be  
17 included in the distribution formula.

18 **"§ 136-89.193. Annual plan of work; annual and quarterly reports.**

19 (a) Annual Plan of Work. – The Authority shall annually develop a plan of work  
20 for the fiscal year, describing the activities and projects to be undertaken, accompanied  
21 by a budget. This annual plan of work shall be subject to the concurrence of the Board  
22 of Transportation.

23 (b) Annual Reports. – The Authority shall, promptly following the close of each  
24 fiscal year, submit an annual report of its activities for the preceding year to the  
25 Governor, the General Assembly, and the Department of Transportation. Each report  
26 shall be accompanied by an audit of its books and accounts.

27 (c) Quarterly Reports. – The Authority shall submit quarterly reports to the Joint  
28 Legislative Transportation Oversight Committee. The reports shall summarize the  
29 Authority's activities during the quarter and contain any information about the  
30 Authority's activities that is requested by the Committee.

31 (d) Report prior to let of contracts.—The Authority shall consult with and report  
32 to the Joint Legislative Transportation Oversight Committee and the Joint Legislative  
33 Commission on Governmental Operations prior to the letting of any contract for  
34 turnpike project construction.

35 **"§ 136-89.194. Laws applicable to the Authority; exceptions.**

36 (a) Motor Vehicle Laws. – The Turnpike System shall be considered a  
37 "highway" as defined in G.S. 20-4.01(13) and a "public vehicular area" as defined in  
38 G.S. 20-4.01(32). All law enforcement and emergency personnel, including the State  
39 Highway Patrol and the Division of Motor Vehicles, shall have the same powers and  
40 duties on the Turnpike System as on any other highway or public vehicular area.

41 (b) Contracting. – For the purposes of implementing this Article, the Authority  
42 shall solicit competitive proposals for the construction of Turnpike Projects in  
43 accordance with the provisions of Article 2 of this Chapter. Contracts for professional  
44 engineering services and other kinds of professional or specialized services necessary in

1 connection with construction of Turnpike Projects shall be solicited in accordance with  
2 procedures utilized by the Department of Transportation.

3 (c) Alternative Contracting Methods. – Notwithstanding the provisions of  
4 subsection (b) of this section, the Authority may authorize the use of alternative  
5 contracting methods if:

6 (1) The authorization applies to an individual project;

7 (2) The Authority has concluded, and documented in writing, that the  
8 alternative contracting method is necessary because the project cannot  
9 be completed utilizing the procedures of Article 2 of this Chapter  
10 within the necessary time frame or available funding or for other  
11 reasons the Authority deems in the public interest;

12 (3) The Authority has provided, to the extent possible, for the solicitation  
13 of competitive proposals prior to awarding a contract; and

14 (4) The approved alternative contracting method provides for reasonable  
15 compliance with the disadvantaged business participation goals of G.S.  
16 136-28.4.

17 **"§ 136-89.195. Internet report of funds expended.**

18 The Department shall publish and update annually on its Internet web site a record  
19 of all expenditures of the Turnpike Authority for highway construction, maintenance,  
20 and administration. The record shall include a total expenditure amount by county. For  
21 each Turnpike Project, the record shall include a readily identifiable project name or  
22 location, the nature of the project, the amount of the project, the contractor for the  
23 project, the date of project letting, and the actual or expected project completion date.

24 **"§ 136-89.196. Removal of tolls.**

25 The Authority shall, upon fulfillment of and subject to any restrictions included in  
26 the agreements entered into by the Authority in connection with the issuance of the  
27 Authority's revenue bonds, remove tolls from a Turnpike Project.

28 **"§ 136-89.197. Maintenance of nontoll routes.**

29 The Department shall maintain an alternate, nontoll primary route corresponding to  
30 each toll road project constructed pursuant to this Article."

31 **SECTION 2.** Chapter 20 of the General Statutes is amended by adding a  
32 new section to read:

33 **"§ 20-158.2. Control of vehicles on Turnpike System.**

34 The North Carolina Turnpike Authority may control vehicles at appropriate places  
35 by erecting traffic control devices to collect tolls."

36 **SECTION 3.** G.S. 136-176(b) reads as rewritten:

37 "(b) Funds in the Trust Fund are annually appropriated to the Department of  
38 Transportation to be allocated and used as provided in this subsection. A sum, not to  
39 exceed four and one-half percent (4.5%) of the amount of revenue deposited in the Trust  
40 Fund under subdivisions (a)(1), (2), and (3) of this section, may be used each fiscal year  
41 by the Department for expenses to administer the Trust Fund. Operation and project  
42 development costs of the North Carolina Turnpike Authority are eligible administrative  
43 expenses under this subsection. Any funds allocated to the Authority pursuant to this  
44 subsection shall be repaid by the Authority from its toll revenue as soon as possible,

1 subject to any restrictions included in the agreements entered into by the Authority in  
2 connection with the issuance of the Authority's revenue bonds. Beginning one year after  
3 the Authority begins collecting tolls on a completed Turnpike Project, interest shall  
4 accrue on any unpaid balance owed to the Highway Trust Fund at a rate equal to the  
5 State Treasurer's average annual yield on its investment of Highway Trust Fund funds  
6 pursuant to G.S. 147-6.1. Interest earned on the unpaid balance shall be deposited in the  
7 Highway Trust Fund upon repayment. The rest of the funds in the Trust Fund shall be  
8 allocated and used as follows:

- 9 (1) Sixty-one and ninety-five hundredths percent (61.95%) to plan, design,  
10 and construct the projects of the Intrastate System described in G.S.  
11 136-179 and to pay debt service on highway bonds and notes that are  
12 issued under the State Highway Bond Act of 1996 and whose proceeds  
13 are applied to these projects.  
14 (2) Twenty-five and five hundredths percent (25.05%) to plan, design, and  
15 construct the urban loops described in G.S. 136-180 and to pay debt  
16 service on highway bonds and notes that are issued under the State  
17 Highway Bond Act of 1996 and whose proceeds are applied to these  
18 urban loops.  
19 (3) Six and one-half percent (6.5%) to supplement the appropriation to  
20 cities for city streets under G.S. 136-181.  
21 (4) Six and one-half percent (6.5%) for secondary road construction as  
22 provided in G.S. 136-182 and to pay debt service on highway bonds  
23 and notes that are issued under the State Highway Bond Act of 1996  
24 and whose proceeds are applied to secondary road construction.

25 The Department must administer funds allocated under subdivisions (1), (2), and (4)  
26 of this subsection in a manner that ensures that sufficient funds are available to make  
27 the debt service payments on bonds issued under the State Highway Bond Act of 1996  
28 as they become due."

29 **SECTION 4.** G.S. 126-5(c1) is amended by adding a new subdivision to  
30 read:

31 "(c1) Except as to the provisions of Articles 6 and 7 of this Chapter, the provisions  
32 of this Chapter shall not apply to:

33 ...

34 (21) Employees of the North Carolina Turnpike Authority."

35 **SECTION 5.** G.S. 120-123 is amended by adding a new subdivision to read:  
36 "**§ 120-123. Service by members of the General Assembly on certain boards and**  
37 **commissions.**

38 No member of the General Assembly may serve on any of the following boards or  
39 commissions:

40 ...

41 (75) The North Carolina Turnpike Authority."

42 **SECTION 6.** G.S. 159-81(1) reads as rewritten:

43 "(1) 'Municipality' means a county, city, town, incorporated village,  
44 sanitary district, metropolitan sewerage district, metropolitan water



1 district, county water and sewer district, water and sewer authority,  
2 hospital authority, hospital district, parking authority, special airport  
3 district, regional public transportation authority, regional  
4 transportation authority, regional natural gas district, regional sports  
5 authority, airport authority, joint agency created pursuant to Part 1 of  
6 Article 20 of Chapter 160A of the General Statutes, ~~and a joint agency~~  
7 authorized by agreement between two cities to operate an airport  
8 pursuant to G.S. 63-56, and the North Carolina Turnpike Authority  
9 created pursuant to Article 6H of Chapter 136 of the General Statutes,  
10 but not any other forms of State or local government."

11 **SECTION 7.** G.S. 159-81(3) is rewritten to read:

12 "(3) 'Revenue bond project' means any undertaking for the acquisition,  
13 construction, reconstruction, improvement, enlargement, betterment,  
14 or extension of any one or combination of the following  
15 revenue-producing utility or public service enterprise facilities or  
16 systems owned or leased as lessee by the issuing unit, to be financed  
17 through the issuance of revenue bonds, thereby providing funds to pay  
18 the costs of the undertaking or to reimburse funds loaned or advanced  
19 by the State or a municipality to pay the costs of the undertaking:

- 20 a. Water systems or facilities, including all plants, works,  
21 instrumentalities and properties used or useful in obtaining,  
22 conserving, treating, and distributing water for domestic or  
23 industrial use, irrigation, sanitation, fire protection, or any other  
24 public or private use.
- 25 b. Sewage disposal systems or facilities, including all plants,  
26 works, instrumentalities, and properties used or useful in the  
27 collection, treatment, purification, or disposal of sewage.
- 28 c. Systems or facilities for the generation, production,  
29 transmission, or distribution of gas (natural, artificial, or mixed)  
30 or electric energy for lighting, heating, or power for public and  
31 private uses, where gas systems shall include the purchase  
32 and/or lease of natural gas fields and natural gas reserves and  
33 the purchase of natural gas supplies, and where any parts of  
34 such gas systems may be located either within the State or  
35 without.
- 36 d. Systems, facilities and equipment for the collection, treatment,  
37 or disposal of solid waste.
- 38 e. Public transportation systems, facilities, or equipment,  
39 including but not limited to bus, truck, ferry, and railroad  
40 terminals, depots, trackages, vehicles, and ferries, and mass  
41 transit systems.
- 42 f. Public parking lots, areas, garages, and other vehicular parking  
43 structures and facilities.

- 1 g. Aeronautical facilities, including but not limited to airports,  
2 terminals, and hangars.
- 3 h. Marine facilities, including but not limited to marinas, basins,  
4 docks, dry docks, piers, marine railways, wharves, harbors,  
5 warehouses, and terminals.
- 6 i. Hospitals and other health-related facilities.
- 7 j. Public auditoriums, gymnasiums, stadiums, and convention  
8 centers.
- 9 k. Recreational facilities.
- 10 l. In addition to the foregoing, in the case of the State of North  
11 Carolina, low-level radioactive waste facilities developed  
12 pursuant to Chapter 104G of the General Statutes, hazardous  
13 waste facilities developed pursuant to Chapter 130B of the  
14 General Statutes, and any other project authorized by the  
15 General Assembly.
- 16 m. Economic development projects, including the acquisition and  
17 development of industrial parks, the acquisition and resale of  
18 land suitable for industrial or commercial purposes, and the  
19 construction and lease or sale of shell buildings in order to  
20 provide employment opportunities for citizens of the  
21 municipality.
- 22 n. Facilities for the use of any agency or agencies of the  
23 government of the United States of America.
- 24 o. Structural and natural stormwater and drainage systems of all  
25 types.
- 26 p. In the case of the North Carolina Turnpike Authority, a  
27 Turnpike Project, as defined in G.S. 136-89.181, including the  
28 planning and design of a Turnpike Project, that is designated by  
29 the Authority to be a revenue bond project.

30 The cost of an undertaking may include all property, both real and personal  
31 and improved and unimproved, plants, works, appurtenances, machinery, equipment,  
32 easements, water rights, air rights, franchises, and licenses used or useful in connection  
33 with any of the foregoing utilities and enterprises; the cost of demolishing or moving  
34 structures from land acquired and the cost of acquiring any lands to which such  
35 structures are to be moved; financing charges; the cost of plans, specifications, surveys,  
36 and estimates of cost and revenues; administrative and legal expenses; and any other  
37 expense necessary or incident to the project."

38 **SECTION 8.** G.S. 159-96 is amended by adding a new subsection to read:

39 "(e) In the case of a Turnpike Project of the North Carolina Turnpike  
40 Authority, the project may be located anywhere in the State the Authority is authorized  
41 to maintain a Turnpike Project."

42 **SECTION 9.** The Authority shall evaluate the feasibility of encouraging  
43 mass transit and ridesharing in proposed toll road facilities.

44 **SECTION 10.** This act is effective when it becomes law.