

GENERAL ASSEMBLY OF NORTH CAROLINA



Session 2009

Legislative Fiscal Note

BILL NUMBER: House Bill 182 (Third Edition)

SHORT TITLE: Traffic Calming Devices/Res. Subdivisions.

SPONSOR(S): Representatives Dollar and Avila

<b>FISCAL IMPACT</b>					
	<b>Yes ( )</b>	<b>No (X)</b>	<b>No Estimate Available ( )</b>		
	<b><u>FY 2009-10</u></b>	<b><u>FY 2010-11</u></b>	<b><u>FY 2011-12</u></b>	<b><u>FY 2012-13</u></b>	<b><u>FY 2013-14</u></b>
<b>REVENUES</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>EXPENDITURES</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>POSITIONS (cumulative):</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>PRINCIPAL DEPARTMENT(S) &amp; PROGRAM(S) AFFECTED: Department of Transportation</b>					
<b>EFFECTIVE DATE: October 1, 2009</b>					

**BILL SUMMARY:**

Version 3 of House Bill 182 requires the Department of Transportation to establish policies and procedures for installing or utilizing traffic tables or calming devices erected on State-maintained subdivision streets adopted by DOT under GS 136-102.6 if all of the following requirements are met:

- (1) A traffic engineering study has been approved by DOT providing details about the devices.
- (2) The tables or devices are installed and used in a subdivision with a homeowners association or a neighborhood in which all property owners have established a contractual agreement outlining responsibility for the devices.
- (3) The tables or devices are paid for and maintained by the homeowners association or pursuant to a neighborhood agreement.
- (4) The homeowners association has the written support of at least 70% of the member property owners, or the agreement is signed by at least 70% of the neighborhood property owners.
- (5) The association, or neighborhood, posts a performance bond, to remain in place for three years from the date of installation, sufficient to fund maintenance or removal of the tables or devices, if the association or neighborhood fails to maintain them, or is dissolved. Makes conforming changes.

**ASSUMPTIONS AND METHODOLOGY:** The Department of Transportation expects the requesting party to be responsible for completing the necessary work to gain support from the neighbors and local emergency responders. The requesting party will also be responsible for all of the costs to install, repair, and remove the traffic calming devices covered under this bill. The Department will simply review the materials to ensure that they meet DOT requirements, and provide the requestor with an estimate and an agreement indicating that the requesting party is responsible for all costs. Once the Department receives an executed agreement and a check for the project, the item will be installed.

**SOURCES OF DATA:** Department of Transportation

**TECHNICAL CONSIDERATIONS:** None

**FISCAL RESEARCH DIVISION: (919) 733-4910**

**PREPARED BY:** Karlynn O'Shaughnessy

**APPROVED BY:** Marilyn Chism, Director  
Fiscal Research Division

**DATE:** June 23, 2009



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