

GENERAL ASSEMBLY OF NORTH CAROLINA



Session 2009

Legislative Fiscal Note

BILL NUMBER: Senate Bill 648 (First Edition)

SHORT TITLE: Allow DOT to Provide Direct Funding.

SPONSOR(S): Senator Goss

FISCAL IMPACT					
	Yes ()	No (X)	No Estimate Available ()		
	<u>FY 2009-10</u>	<u>FY 2010-11</u>	<u>FY 2011-12</u>	<u>FY 2012-13</u>	<u>FY 2013-14</u>
REVENUES					
EXPENDITURES					
POSITIONS (cumulative):					
PRINCIPAL DEPARTMENT(S) & PROGRAM(S) AFFECTED: Department of Transportation					
EFFECTIVE DATE: When the bill becomes law					

BILL SUMMARY:

March 18, 2009

S 648. ALLOW DOT TO PROVIDE DIRECT FUNDING. Filed 3/18/09. TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO PARTNER WITH PRIVATE DEVELOPERS ON TRANSPORTATION IMPROVEMENT PROJECTS AND PROVIDE FUNDING DIRECTLY TO THE PRIVATE DEVELOPER.

Enacts GS 136-28.6A to authorize the Department of Transportation (DOT) to enter into a contract with a private developer to accomplish the engineering, design, or construction of improvements to the state highway system. Allows DOT to establish policies and promulgate rules providing for its participation in contracts for projects performed on or abutting a state highway or on a facility planned to be added to the highway system to complete incidental work on the state highway system. Sets the following restrictions for projects as follows: (1) DOT's participation must be limited to the lesser of 10% of the amount of the engineering contract and any construction contract let by the developer for the project or \$250,000, and, in any case, costs must not exceed the normal practices of DOT; (2) plans for the project must meet established standards and be approved by DOT; and (3) projects must be constructed with the plans and specifications approved

by DOT. Requires the Secretary of Transportation to report annually, not later than March 1, to the Joint Legislative Commission on Governmental Operations and the Joint Legislative Transportation Oversight Committee on all agreements entered into between DOT and a private developer for participation in private engineering and construction contracts. Expires December 31, 2011

Source: Bill Digest S.B. 648 (03/18/0200).

ASSUMPTIONS AND METHODOLOGY: The bill permits DOT to partner with private developers for certain improvements to the State highway system. The purpose is the completion of incidental work on the State highway system. The bill prohibits participation in contracts where costs to the Department would exceed costs associated with normal practices. DOT indicates that there is no fiscal impact resulting from this bill.

SOURCES OF DATA:

TECHNICAL CONSIDERATIONS: None

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DATE: June 9, 2009



Signed Copy Located in the NCGA Principal Clerk's Offices