

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 386

Short Title: Aeronautics Amendments.

(Public)

Sponsors: Representative Lilley.

Referred to: Appropriations.

March 28, 1991

A BILL TO BE ENTITLED

AN ACT TO MAKE AMENDMENTS RELATING TO AERONAUTICS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 63-68 reads as rewritten:

"§ 63-68. Limitations on State financial aid.

Grants and loans of funds authorized by this Article shall be subject to the following conditions and limitations:

- (1) Loans and grants may be for such projects, activities, or facilities as would in general be eligible for approval by the Federal Aviation Administration or its successor agency or agencies with the exception that the requirement that the airport be publicly owned shall not be applicable. Further, airport terminal and security areas, seaplane bases, and heliports are also eligible for State financial aid.
- (2) Loans and grants of State funds shall be limited to a maximum of fifty percent (50%) of the nonfederal share of the total cost of any project for which aid is requested, and shall be made only for the purpose of supplementing such other funds, public or private, as may be available from federal or local sources provided, however, using one hundred percent (100%) State funding in its discretion the Department of Transportation may purchase, install and maintain navigational aids necessary for the safe, efficient use of airspace and may conduct other projects or programs to improve the safety and planning of the air transportation system, including but not limited to, ~~making-marking~~ serviceable runways and taxiways. Further, the Department of

1 Transportation may contract out the maintenance and installation of
2 state-owned navigational aids when necessary and may give or transfer
3 such aids to the Federal Aviation Administration.

4 (3) Loans and grants of State funds shall be made from General Assembly
5 appropriations specifically designated for aviation improvement, and
6 from no other source. The Department of Transportation may utilize
7 the State Aviation Grant Funds to cover the direct and indirect costs of
8 administering airport grant ~~projects-projects~~, other services authorized
9 by this Article including planning, and the costs of services provided
10 by nonadministrative Department of Transportation divisions or other
11 State agencies in connection with these projects.

12 (4) Notwithstanding the provisions of this section or G.S. 63-67, the
13 Department of Transportation may allow up to ten percent (10%) of
14 State aviation grant funds to be used for maintenance on General
15 Aviation and Air Carrier Airports having a Department of
16 Transportation approved maintenance plan on a seventy-five percent
17 (75%) local – twenty-five percent (25%) State basis.

18 (5) Notwithstanding the provisions of this section, the Department of
19 Transportation may allow loans and grants of State funds up to eighty
20 percent (80%) of the nonfederal share of the total cost of the
21 development of new or unpaved publicly owned airports identified in
22 the North Carolina Airport System Plan, provided that such funding
23 shall be limited to land acquisition, site preparation, basic runway,
24 taxiway, and apron system construction, together with associated
25 lighting and navigational aids, and construction of the primary airport
26 access road. Electronic navigational aids, terminal buildings, access
27 taxiways, and other items eligible for State airport aid at the rate of
28 fifty percent (50%) of the nonfederal share of project cost shall not be
29 eligible for the foregoing eighty percent (80%) State funding, even
30 though constructed as part of the initial airport development.

31 (6) Notwithstanding the provisions of this section, the Department of
32 Transportation may allow loans and grants of State funds up to ninety
33 percent (90%) of the total cost of the development of new or unpaved
34 publicly owned rural airports identified in the North Carolina Airport
35 System Plan and receiving no federal funding. Such State funding
36 shall be limited to land acquisition, site preparation, basic runway,
37 taxiway, and apron system construction, together with associated
38 lighting and navigational aids, and construction of the primary airport
39 access road.

40 The Department of Transportation shall develop rules and
41 regulations to define rural airports."

42 Sec. 2. G.S. 63-73 reads as rewritten:

43 **"§ 63-73. Letting of ~~contracts for airport construction and repair~~. contracts.**

1 All contracts that the Department of Transportation may let for ~~construction or repair~~
2 ~~or construction, repair, maintenance necessary to carry out the provisions or those services~~
3 listed in 49 U.S.C. App. § 2210(a)(16) in furtherance of this Article shall be let in
4 accordance with the provisions of G.S. 136-28.1."

5 Sec. 3. This act is effective upon ratification.