

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2011**

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**HOUSE DRH50237-ME-25 (02/10)**

Short Title: Adjust Highway Equity Formula. (Public)

Sponsors: Representatives Murry, Killian, Blust, and Hilton (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO ADJUST THE DISTRIBUTION FORMULA FOR FUNDS EXPENDED ON  
3 THE INTRASTATE SYSTEM AND TRANSPORTATION IMPROVEMENT  
4 PROGRAM.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 136-17.2A reads as rewritten:

7 "**§ 136-17.2A. Distribution formula for funds expended on Intrastate System and**  
8 **Transportation Improvement Program.**

9 (a) Funds expended for the Intrastate System projects listed in G.S. 136-179 and both  
10 State and federal-aid funds expended under the Transportation Improvement Program, other  
11 than ~~federal congestion mitigation and air quality improvement program funds appropriated to~~  
12 ~~the State by the United States pursuant to 23 U.S.C. § 104(b)(2) and 23 U.S.C. § 149, funds~~  
13 ~~expended on an urban loop project listed in G.S. 136-180, funds from the federal government~~  
14 ~~for the Appalachian Development Highway System, and funds received through competitive~~  
15 ~~awards or discretionary grants through federal appropriations either for local governments,~~  
16 ~~transportation authorities, transit authorities, or the Department, funds listed in subsection (a1)~~  
17 of this section, shall be distributed throughout the State in accordance with this section.

- 18 (1) Distribution Region A consists of the following counties: Bertie, Camden,  
19 Chowan, Currituck, Dare, Edgecombe, Gates, Halifax, Hertford, Hyde,  
20 Johnston, Martin, Nash, Northampton, Pasquotank, Perquimans, Tyrrell,  
21 Washington, Wayne, and Wilson.
- 22 (2) Distribution Region B consists of the following counties: Beaufort,  
23 Brunswick, Carteret, Craven, Duplin, Greene, Jones, Lenoir, New Hanover,  
24 Onslow, Pamlico, Pender, Pitt, and Sampson.
- 25 (3) Distribution Region C consists of the following counties: Bladen, Columbus,  
26 Cumberland, Durham, Franklin, Granville, Harnett, Person, Robeson,  
27 Vance, Wake, and Warren.
- 28 (4) Distribution Region D consists of the following counties: Alamance,  
29 Caswell, Davidson, Davie, Forsyth, Guilford, Orange, Rockingham, Rowan,  
30 and Stokes.
- 31 (5) Distribution Region E consists of the following counties: Anson, Cabarrus,  
32 Chatham, Hoke, Lee, Mecklenburg, Montgomery, Moore, Randolph,  
33 Richmond, Scotland, Stanly, and Union.



1 (6) Distribution Region F consists of the following counties: Alexander,  
2 Alleghany, Ashe, Avery, Caldwell, Catawba, Cleveland, Gaston, Iredell,  
3 Lincoln, Surry, Watauga, Wilkes, and Yadkin.

4 (7) Distribution Region G consists of the following counties: Buncombe, Burke,  
5 Cherokee, Clay, Graham, Haywood, Henderson, Jackson, Macon, Madison,  
6 McDowell, Mitchell, Polk, Rutherford, Swain, Transylvania, and Yancey.

7 (a1) The following are exempt from the distribution requirements of subsection (a) of  
8 this section:

9 (1) Federal congestion mitigation and air quality improvement program funds  
10 appropriated to the State by the United States pursuant to 23 U.S.C. §  
11 104(b)(2) and 23 U.S.C. § 149.

12 (2) Funds expended on an urban loop project listed in G.S. 136-180.

13 (3) Funds from the federal government for the Appalachian Development  
14 Highway System.

15 (4) Funds received through competitive awards or discretionary grants through  
16 federal appropriations either for local governments, transportation  
17 authorities, transit authorities, or the Department.

18 (5) Surface Transportation Program/Direct Attributable (STP/DA) federal funds.

19 (b) ~~Until ninety percent (90%) of the mileage of the Intrastate System projects listed in~~  
20 ~~G.S. 136-179 is completed, the Secretary of Transportation shall, on or before October 1 of~~  
21 ~~each year, calculate the estimated amount of funds subject to this section that will be available~~  
22 ~~for the next seven program years beginning that October 1. The Secretary shall then calculate a~~  
23 ~~tentative percentage share for each distribution region by multiplying the total estimated~~  
24 ~~amount by a factor that is based:~~

25 (1) ~~Twenty five percent (25%) on the estimated number of miles to complete~~  
26 ~~the Intrastate System projects in that distribution region compared to the~~  
27 ~~estimated number of miles to complete the total Intrastate System;~~

28 (2) ~~Fifty percent (50%) on the estimated population of the distribution region~~  
29 ~~compared to the total estimated population of the State; and~~

30 (3) ~~Twenty five percent (25%) on the fraction one seventh, which provides an~~  
31 ~~equal share based on the number of distribution regions.~~

32 (c) ~~When ninety percent (90%) of the mileage of the Intrastate System projects listed in~~  
33 ~~G.S. 136-179 is completed, the~~ The Secretary of Transportation shall, on or before October 1 of  
34 each year, calculate the estimated amount of funds subject to this section that will be available  
35 for the next seven program years beginning that October 1. The Secretary shall then calculate a  
36 tentative percentage share for each distribution region by multiplying the total estimated  
37 amount by a factor that is based:

38 (1) Sixty-six percent (66%) on the estimated population of the distribution  
39 region compared to the total estimated population of the State; and

40 (2) Thirty-four percent (34%) on the fraction one-seventh, which provides an  
41 equal share based on the number of distribution regions.

42 ...."

43 **SECTION 2.** This act becomes effective July 1, 2011.