

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

H.B. 969
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH10541-MHa-145

Short Title: Statewide Commuter Rail Study. (Public)

Sponsors: Representative Hawkins.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO CREATE THE JOINT LEGISLATIVE STUDY COMMITTEE ON COMMUTER
3 RAIL.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.(a)** LSC Study of Statewide Commuter Rail. – There is created the Joint
6 Legislative Study Committee on Statewide Commuter Rail. The Committee shall consist of 18
7 members to be appointed as follows:

8 (1) Nine members of the House of Representatives appointed by the Speaker of
9 the House of Representatives.

10 (2) Nine members of the Senate appointed by the President Pro Tempore of the
11 Senate.

12 Vacancies on the Committee shall be filled by the appointing authority. The President
13 Pro Tempore of the Senate and the Speaker of the House of Representatives shall each designate
14 a cochair. A quorum of the Committee shall be a majority of its members. The Committee may
15 meet at any time upon the joint call of the cochairs in the Legislative Building or the Legislative
16 Office Building.

17 **SECTION 1.(b)** Study. – The Committee shall develop a statewide strategic vision
18 for commuter rail that efficiently integrates freight, passenger, and commuter rail uses to
19 encourage increases in passenger rail traffic as a share of overall transportation. As part of its
20 study, the Committee will do all of the following:

21 (1) Provide opportunity for public engagement.

22 (2) Develop a commuter rail plan to integrate all uses of fixed rail within the State
23 that implements best practices, including integration with all of the following:

24 a. The recommendations pertaining to rail of the 2021 NC FIRST
25 Commission.

26 b. The Comprehensive State Rail Plan.

27 c. Other long-range transportation plans created by the Department of
28 Transportation.

29 d. Long-term and short-term regional transportation plans developed by
30 the State's Metropolitan and Rural Planning Organizations and
31 regional transit authorities.

32 (3) Evaluate all of the following:

33 a. Potential rail alignments and ridership as well as impacts on traffic
34 congestion and other environmental benefits.

35 b. The use of emerging technologies to enhance rail capacity, safety, and
36 speed.



- c. How to better integrate commuter rail long-range planning with local government partners and with other Divisions and programs of the Department of Transportation.
- d. How to maximize transit-oriented development opportunities.
- e. Potential funding sources and funding challenges at State and local levels.
- f. Opportunities and challenges for public and private economic development partners, including a review of case studies of other successful commuter rail projects completed in the United States over the past 10 years.
- g. Legal issues related to the implementation of new commuter rail services in rail corridors not owned by the State.
- h. The use and availability of railroad facilities owned by the State but otherwise controlled by a private corporation to prioritize passenger service and whether such prioritization would impact the ability of freight operators to serve current and projected rail freight business.
- i. Suggestions for reasonable insurance, liability, and indemnity requirements to be imposed by State-owned and private railroads for commuter rail operators that are not a barrier to the development of new commuter rail service.
- j. The use of tax incentives for non-State-owned railroads to create incentives for cooperation with the construction of new rail passenger services and related development.
- k. Additional resources and personnel needed within the Rail Division of the Department of Transportation to support acceleration of commuter rail planning and deployment statewide.
- l. The feasibility and unmet public transportation needs that could be addressed by the issuance of three billion dollars (\$3,000,000,000) in general obligation bonds by the State.

SECTION 1.(c) Powers. – The Committee, while in the discharge of its official duties, may exercise all powers provided for under G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4, including the power to request all officers, agents, agencies, and departments of the State to provide any information, data, or documents within their possession, ascertainable from their records, or otherwise available to them.

SECTION 1.(d) Staffing. – The Legislative Services Commission, through the Legislative Services Officer, shall assign professional staff to assist the Committee in its work. The Directors of Legislative Assistants of the Senate and of the House of Representatives shall assign clerical staff to the Committee, and the expenses relating to the clerical employees shall be borne by the Committee. Members of the Committee shall receive subsistence and travel expenses at the rates set forth in G.S. 120-3.1.

SECTION 2. Report. – The Committee shall make an interim report to the 2025 General Assembly. The Committee shall make a final report, including findings and legislative recommendations, to the 2025 General Assembly when it reconvenes in 2026 for its regular session. The Committee shall terminate upon filing its final report or upon the convening of the 2025 General Assembly when it reconvenes in 2026 for its regular session, whichever is earlier.

SECTION 3. The work of the Study Committee established by this act is not intended to preempt or delay any ongoing studies or projects involving commuter rail undertaken by units of local government.

SECTION 4. The sum of twenty thousand dollars (\$20,000) in nonrecurring funds for the 2024-2025 fiscal year is appropriated from the General Fund to the Legislative Services

1 Commission of the General Assembly for the expenses of the Study Committee established by
2 this act.

3 **SECTION 5.** This act is effective when it becomes law.