

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH30172-MH-29

Short Title: Statewide Commuter Rail Study. (Public)

Sponsors: Representative Alston.

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



- 1 c. How to better integrate commuter rail long-range planning with local
- 2 government partners and with other Divisions and programs of the
- 3 Department of Transportation.
- 4 d. How to maximize transit-oriented development opportunities.
- 5 e. Potential funding sources and funding challenges at State and local
- 6 levels.
- 7 f. Opportunities and challenges for public and private economic
- 8 development partners, including a review of case studies of other
- 9 successful commuter rail projects completed in the United States over
- 10 the past 10 years.
- 11 g. Legal issues related to the implementation of new commuter rail
- 12 services in rail corridors not owned by the State.
- 13 h. The use and availability of railroad facilities owned by the State but
- 14 otherwise controlled by a private corporation to prioritize passenger
- 15 service and whether such prioritization would impact the ability of
- 16 freight operators to serve current and projected rail freight business.
- 17 i. Suggestions for reasonable insurance, liability, and indemnity
- 18 requirements to be imposed by State-owned and private railroads for
- 19 commuter rail operators that are not a barrier to the development of
- 20 new commuter rail service.
- 21 j. The use of tax incentives for non-State-owned railroads to create
- 22 incentives for cooperation with the construction of new rail passenger
- 23 services and related development.
- 24 k. Additional resources and personnel needed within the Rail Division of
- 25 the Department of Transportation to support acceleration of commuter
- 26 rail planning and deployment statewide.

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

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

38 **SECTION 2. Report.** – The Committee shall make an interim report to the 2021
39 General Assembly when it reconvenes in 2022. The Committee shall make a final report,
40 including findings and legislative recommendations, to the 2023 General Assembly. The
41 Committee shall terminate upon filing its final report or upon the convening of the 2023 General
42 Assembly, whichever is earlier.

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

46 **SECTION 4.** This act is effective when it becomes law.