

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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HOUSE BILL 1432

Short Title: Additional Transit Authority Registration Tax. (Public)

Sponsors: Representative Insko.

Referred to: Finance.

May 10, 2001

A BILL TO BE ENTITLED

1 AN ACT TO AUTHORIZE CERTAIN REGIONAL PUBLIC TRANSIT
2 AUTHORITIES TO LEVY A SUPPLEMENTAL VEHICLE REGISTRATION
3 TAX TO FUND MAJOR TRANSIT IMPROVEMENTS.
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5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 105-561 reads as rewritten:

7 "**§ 105-561. Authority registration tax authorized.**

8 (a) Tax Authorized. – The board of trustees of an Authority may, by resolution,
9 levy an annual license tax in accordance with this Article upon any motor vehicle with a
10 tax situs within its territorial jurisdiction. The purpose of the tax levied under this
11 Article is to raise revenue for capital and operating expenses of an Authority in
12 providing public transportation systems. The rate of tax levied under this ~~Article~~
13 subsection must be a full dollar amount, but may not exceed five dollars (\$5.00) a year.

14 (a1) Supplemental Tax Authorized. – The board of trustees of a regional public
15 transportation authority created pursuant to Article 26 of Chapter 160A of the General
16 Statutes may, by resolution, levy a supplemental annual license tax in accordance with
17 this Article upon any motor vehicle with a tax situs within its territorial jurisdiction.
18 This tax is in addition to any tax levied under subsection (a) of this section. The purpose
19 of the tax levied under this subsection is to raise revenue to supplement the construction
20 or operation of major transit improvements and investments. The rate of tax levied
21 under this subsection must be a full dollar amount, but may not exceed four dollars
22 (\$4.00) a year.

23 (b) Restrictions. – The board of trustees of an Authority may not levy a tax under
24 this Article or increase the tax rate until all of the following requirements have been
25 met:

- 26 (1) The board of trustees has held a public hearing on the tax or the
27 increase in the tax rate after giving at least 10 days' notice of the
28 hearing.

1 (2) If the Authority has a special tax board, the special tax board has
2 adopted a resolution approving the levy of the tax or the increase in the
3 tax rate.

4 (3) Except where the levy or increase in tax is necessary for debt service
5 on bonds or notes that each of the boards of county commissioners had
6 previously approved under G.S. 159-51, the board of commissioners of
7 each county included in the territorial jurisdiction of the Authority has
8 adopted a resolution approving the levy of the tax or the increase in the
9 tax rate.

10 (c) Resolutions. – The board of trustees and the board of county commissioners,
11 upon adoption of a resolution pursuant to this section, shall cause a certified copy of the
12 resolution to be delivered immediately to the Authority and to the Division of Motor
13 Vehicles.

14 (d) Special Tax District. – If a regional transportation authority created under
15 Article 27 of Chapter 160A of the General Statutes has not levied the tax under
16 subsection (a) of this section or has levied the tax at a rate ~~of less than five dollars~~
17 ~~(\$5.00)~~ less than the maximum rate set in subsection (a) of this section, it may create a
18 special district that consists of the entire area of one or more counties within its
19 territorial jurisdiction and may levy on behalf of the special district the tax authorized in
20 this section. The rate of tax levied under subsection (a) of this section within the special
21 district may not, when combined with the rate levied under subsection (a) of this section
22 within the entire territorial jurisdiction of the authority, exceed ~~five dollars (\$5.00)~~. the
23 maximum rate set in subsection (a) of this section. The regional transportation authority
24 may not levy or increase a tax within the special district unless the board of
25 commissioners of each county in the special district has adopted a resolution approving
26 the levy or increase.

27 A special district created pursuant to this subsection is a body corporate and politic
28 and has the power to carry out the purposes of this subsection. The board of trustees of
29 the regional transportation authority created under Article 27 of Chapter 160A of the
30 General Statutes shall serve, ex officio, as the governing body of a special district it
31 creates pursuant to this subsection. The proceeds of a tax levied under this subsection
32 may be used only for the benefit of the special district and only for the purposes
33 provided in G.S. 105-564. Except as provided in this subsection, a tax levied under this
34 subsection is governed by the provisions of this Article."

35 **SECTION 2.** G.S. 160A-613(b) reads as rewritten:

36 "(b) The Authority may levy ~~an annual vehicle registration tax not to exceed five~~
37 ~~dollars (\$5.00) per vehicle~~ taxes in accordance with ~~G.S. 160A-623~~. Articles 50 and 51
38 of Chapter 105 of the General Statutes."

39 **SECTION 3.** G.S. 160A-623 is repealed.

40 **SECTION 4.** This act becomes effective January 1, 2004.