

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2021**

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**HOUSE BILL 343**

Short Title:    Statewide Commuter Rail Study. (Public)

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Sponsors:     Representatives Alston, Morey, Hawkins, and Martin (Primary Sponsors).  
*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

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Referred to:   Transportation, if favorable, Rules, Calendar, and Operations of the House

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March 23, 2021

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

The General Assembly of North Carolina enacts:

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

- (1) Nine members of the House of Representatives appointed by the Speaker of  
the House of Representatives.
- (2) Nine members of the Senate appointed by the President Pro Tempore of the  
Senate.

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

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

- (1) Provide opportunity for public engagement.
- (2) Develop a commuter rail plan to integrate all uses of fixed rail within the State  
that implements best practices, including integration with all of the following:
  - a. The recommendations pertaining to rail of the 2021 NC FIRST  
Commission.
  - b. The Comprehensive State Rail Plan.
  - c. Other long-range transportation plans created by the Department of  
Transportation.
  - d. Long-term and short-term regional transportation plans developed by  
the State's Metropolitan and Rural Planning Organizations and  
regional transit authorities.
- (3) Evaluate all of the following:
  - a. Potential rail alignments and ridership as well as impacts on traffic  
congestion and other environmental benefits.



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

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

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

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

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

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