

## Chapter 3

### Speed Limits

#### 3.1 *Statutory Speed Limits*

The statutory maximum speed limit for vehicles within municipal corporate limits is 35 miles per hour (MPH) and the statutory maximum speed limit for vehicles outside municipal corporate limits is 55 MPH ([§20-141, b](#)). Statutory minimum speed limits for passenger vehicles on interstates and other primary routes on the State Highway System are 40 MPH for roads with maximum speed limits of 55 MPH, and 45 MPH for roads with maximum speed limits of at least 60 MPH, but are only effective when signed ([§20-141, c](#)).

#### 3.2 *Municipal Certificates*

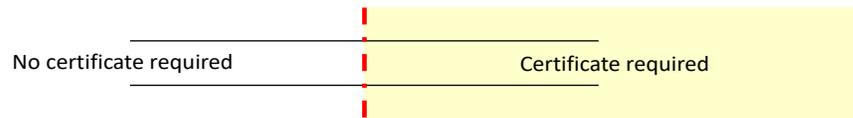
Municipal certificates for speed zone changes (approvals and repeals) on non-controlled access facilities within incorporated municipalities must be approved by the local governing body as described in [§20-141, f](#), must be certified under seal by the city clerk, and can not be changed or altered in any way once certified and sealed (resolutions are not acceptable). Municipal certificates are not required for interstates and other controlled access facilities, and are not required when repealing an existing 35 MPH municipal speed zone ordinance.

Incorporated municipalities may delegate this authority to an individual position (i.e. City Manager, City Traffic Engineer, Public Works Director, etc.), but the State Traffic Engineer must have a copy of the ordinance delegating authority on file and acknowledgment of receipt of the delegation, and must be notified if the delegated condition changes (Durham and Charlotte are the only municipalities currently doing this). TEAAS will produce standard municipal certificates based on the information entered into the system to ensure consistency.

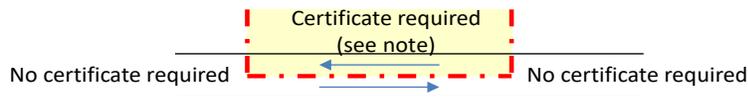
With regards to a consolidated city-county (incorporated county), each urban service district is considered a municipality for the purposes of municipal certificates ([§136-66.6](#)). Also, previously unincorporated areas within the county are considered rural areas and do not need municipal certificates unless the governing board of the consolidated city-county is providing street services ([§136-66.6](#)).

The statutory speed limit for any vehicle operating “inside municipal corporate limits” is 35 miles per hour ([§20-141, b, 1](#)). It is assumed that incorporated municipal limits do not extend between right-of-way lines unless proven otherwise by the municipality. Various non-controlled access situations where municipal certificates are required/not required are as follows:

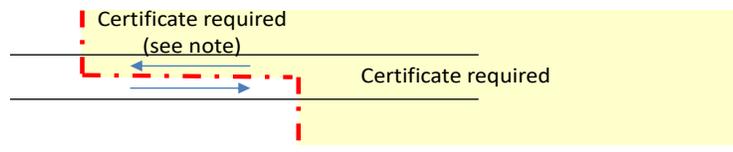
**Example A: Municipal limit crosses road**



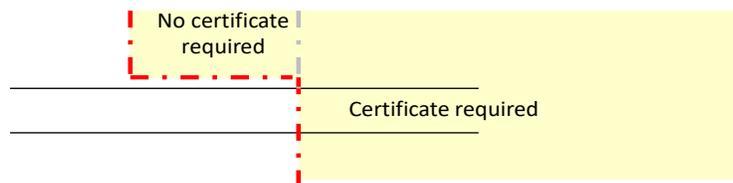
**Example B: Municipal limit in road but does not cross**



**Example C: Municipal limit crosses road but at different points**



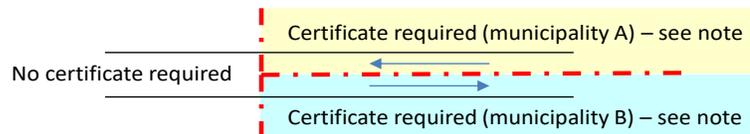
**Example D: Municipal limit abuts road then crosses at other point**



**Example E: Municipal limit abuts road/in ROW but does not cross**



**Example F: Multiple municipalities abut in road**



Note: It is assumed that incorporated municipal limits do not extend between right-of-way lines unless proven otherwise by the municipality.

### **3.3 *Municipal Annexations***

Effective June 30, 2009, the posted speed limit of any road on the State Highway System shall remain in effect when annexed by a municipality ([SL 2009-234](#)).

For sections of rural roads that are ordinated but not posted at the time the annexation becomes effective then they revert to municipal statutory conditions (35 MPH) and the existing ordinances shall be repealed.

For sections of rural roads that are rural statutory conditions (55 MPH) but not posted at the time the annexation becomes effective then they revert to municipal statutory conditions (35 MPH).

For sections of rural roads with posted speed limits annexed by municipalities the following shall apply:

1. If an existing rural speed limit (type 3) is ordinated and posted at 35 MPH then the existing rural speed limit ordinance shall be repealed.
2. If an existing rural speed limit is posted as statutory (no ordinance) then a municipal speed limit (type 2) of 55 MPH shall be written.
3. If an existing rural speed limit ordinance (type 3) does not meet conditions 1 or 2 then the existing rural ordinance shall be repealed and a municipal speed limit ordinance (type 2) of equal speed limit conditions shall be written.
4. If an existing rural school zone speed limit (type 17 or 30) exists then the existing rural school zone speed limit ordinance shall be repealed and a municipal school zone speed limit (type 29) of equal speed limit conditions shall be written.
5. If an existing rural minimum speed limit (type 32) exists then the existing rural minimum speed limit ordinance shall be repealed and a municipal minimum speed limit (type 31) of equal speed limit conditions shall be written.
6. If an existing rural night time speed limit (type 35) exists then the existing rural night time speed limit ordinance shall be repealed and a municipal night time speed limit (type 34) of equal speed limit conditions shall be written.
7. If an existing rural variable speed limit (type 38) exists then the existing rural variable speed limit ordinance shall be repealed and a municipal variable speed limit (type 37) of equal speed limit conditions shall be written.

Municipal concurrence for these ordinances (items 1-7, above) is not required, and the entry date of the ordinance can be used as the municipal approval date in TEAAS. Once enacted, these ordinances shall go through the normal municipal concurrence process to be repealed.

### 3.4 *Rest Areas*

NCDOT has the authority to “acquire by gift or otherwise land for and to construct, operate and maintain roadside parks, picnic areas, picnic tables, scenic overlooks and other appropriate turnouts for the safety and convenience of highway users” ([§136-18.9](#)). Therefore, rest areas, welcome centers, visitor centers, and other appropriate turnouts are part of the State Highway System and NCDOT has the legal authority to regulate and adjust speed limits to/from and within these facilities ([§20-141, d](#)). For all facilities connected to interstates and controlled access highways and/or located outside the corporate limits of a municipality use ordinance type 3 (“Speed Limit – Rural”). For all other facilities use ordinance type 2 (“Speed Limit – Municipal”) and municipal concurrence is required. See sections 3.7 and 3.8 for additional information.

#### Example(s):

I 95 Southbound Welcome Center (excluding deceleration and acceleration segments).

I 73 Northbound Seagrove Rest Area and Visitor Center (excluding deceleration and acceleration segments).

I 73 Southbound Visitor Center (excluding deceleration and acceleration segments).

### 3.5 *Ramps*

For all ramps connected to interstates and controlled access highways and/or located outside the corporate limits of a municipality use ordinance type 3 (“Speed Limit – Rural”). For all other facilities use ordinance type 2 (“Speed Limit – Municipal”) and municipal concurrence is required. See sections 3.7 and 3.8 for additional information.

**NOTE – The “Ramp Ordinance” check box in TEAAS no longer needs to be checked for ramp ordinances.**

#### Example(s):

NC 16 northbound off ramp between NC 16 and SR 3325 (Rock Station Road).

### 3.6 *Subdivisionwide*

Subdivision roads with non-statutory speed limits in closed subdivisions still need an ordinance written for each road. For all roads located outside the corporate limits of a municipality use ordinance type 3 (“Speed Limit – Rural”). For all other roads use ordinance type 2 (“Speed Limit – Municipal”) and municipal concurrence is required. See sections 3.7 and 3.8 for additional information.

#### Example(s):

Subdivisionwide – between SR 1193 and 0.07 mile east of SR 1193 (Cypress Landing Subdivision).

### 3.7 *Speed Limit – Municipal*

Ordinance Type Number:	2
Ordinance Type Status:	Active
NCGS Authority:	<a href="#">§20-141(f)</a>
NCAC Authority:	None
TEPPL Reference:	<a href="#">S-34</a> , <a href="#">S-40</a> , <a href="#">S-41</a>
Ordinance Required:	Yes
Overlap Conflict with Ordinance Types:	2, 3, 37, and 38
Investigation Required by Statute and/or Code:	Yes
Signing/Marking Required by Statute/Code:	Yes
Additional Information/Justification Required:	Yes (municipal certificate)

#### Guidance:

Speed limits on any road within the corporate limits of a municipality on the State Highway System (not including interstate or controlled access facilities) may be changed (raised or lowered) from the statutory limit following an engineering and traffic investigation. However, these speed limits shall have concurring ordinances with the municipality, can be no greater than 55 MPH, and are only effective when signs are erected ([§20-141, f](#)).

Speed limits on any road on the State Highway System within municipalities that do not have a governing body to enact municipal ordinances as provided by law, or any road that is an interstate or controlled access facility, should be completed as a rural speed limit (see Section 3.8).

Counties do not have statutory authority to ordinance or enact speed limits.

Engineering and traffic investigations should be conducted or approved by the NCDOT.

New ordinances with speed limits below 25 MPH will generally not be approved.

Replacement ordinances with speed limits more than 10 MPH above or below the speed limit of the ordinance being replaced shall have justification provided.

In most cases, neither the “on road” nor municipal limits should not be used in the description of an ordinance as a reference feature.

**For speed limit changes stemming from the Secondary Roads Safety Program (SRSP), the initials “SRSP” shall be entered into the “Construction Project Number” field in TEAAS.**

Example(s):

Between 0.02 mile east of US 15 Business and 0.33 mile east of US 15.

Between 0.3 mile west of NC 55 (Meeting Street) and US 70 – municipal concurrence not required due to the annexation clause in 20-141(f).

Between US 601 (Wilson Boulevard) and the end of state maintenance.

Subdivisionwide – between SR 1193 and 0.07 mile east of SR 1193 (Cypress Landing Subdivision).

NC 16 northbound off ramp between NC 16 and SR 3325 (Rock Station Road).

I 95 Southbound Welcome Center (excluding deceleration and acceleration segments).

I 73 Northbound Seagrove Rest Area and Visitor Center (excluding deceleration and acceleration segments).

I 73 Southbound Visitor Center (excluding deceleration and acceleration segments).

### 3.8 *Speed Limit – Rural*

Ordinance Type Number:	3
Ordinance Type Status:	Active
NCGS Authority:	<a href="#">§20-141(d)</a> , <a href="#">§20-141(f)</a>
NCAC Authority:	None
TEPPL Reference:	<a href="#">S-34</a> , <a href="#">S-36</a> , <a href="#">S-40</a>
Ordinance Required:	Yes
Overlap Conflict with Ordinance Types:	2, 3, 37, and 38
Investigation Required by Statute and/or Code:	Yes
Signing/Marking Required by Statute/Code:	Yes
Additional Information/Justification Required:	No

#### Guidance:

Speed limits on any road on the State Highway System outside the corporate limits of a municipality, or on any interstate or controlled access facility, may be lowered by NCDOT from the statutory limit following an engineering and traffic investigation, but are only effective when signs are erected ([§20-141, d](#)).

Speed limits on any interstate or controlled access facility on the State Highway System may be raised by NCDOT from the statutory limit, to a maximum of 70 MPH, following an engineering and traffic investigation but are only effective when signs are erected ([§20-141, d](#)).

Speed limits on any road on the State Highway System within municipalities that do not have a governing body to enact municipal ordinances as provided by law may be changed by NCDOT following an engineering and traffic investigation ([§20-141, f](#)).

Counties do not have statutory authority to ordinance or enact speed limits.

Engineering and traffic investigations should be conducted or approved by the NCDOT.

New ordinances with speed limits below 25 MPH will generally not be approved.

Replacement ordinances with speed limits more than 10 MPH above or below the speed limit of the ordinance being replaced shall have justification provided.

In most cases, neither the “on road” nor municipal limits should not be used in the description of an ordinance as a reference feature.

**For speed limit changes stemming from the Secondary Roads Safety Program (SRSP), the initials “SRSP” shall be entered into the “Construction Project Number” field in TEAAS.**

Example(s):

Between SR 1564 and NC 42.

Between US 601 (Wilson Boulevard) and the end of state maintenance.

Subdivisionwide – between SR 1193 and 0.07 mile east of SR 1193 (Cypress Landing Subdivision).

NC 16 northbound off ramp between NC 16 and SR 3325 (Rock Station Road).

I 95 Southbound Welcome Center (excluding deceleration and acceleration segments).

I 73 Northbound Seagrove Rest Area and Visitor Center (excluding deceleration and acceleration segments).

I 73 Southbound Visitor Center (excluding deceleration and acceleration segments).

### **3.9 School Zone Speed Limit**

Ordinance Type Number:	17
Ordinance Type Status:	Inactive
NCGS Authority:	<a href="#">20-141.1</a>
NCAC Authority:	None
TEPPL Reference:	<a href="#">S-11</a> , <a href="#">S-12</a> , <a href="#">S-14</a> , <a href="#">S-46</a>
Ordinance Required:	Yes
Overlap Conflict with Ordinance Types:	17, 29, and 30
Investigation Required by Statute and/or Code:	Yes
Signing/Marking Required by Statute/Code:	Yes
Additional Information/Justification Required:	No

#### Guidance:

This ordinance type is no longer used (discontinued November 6, 2009) and is being phased out in favor of type 29 “School Zone Speed Limit – Municipal” and type 30 “School Zone Speed Limit – Rural” (see Sections 3.10 and 3.11).

#### Example(s):

N/A

### **3.10 School Zone Speed Limit – Municipal**

Ordinance Type Number:	29
Ordinance Type Status:	Active
NCGS Authority:	<a href="#">§20-141.1</a>
NCAC Authority:	None
TEPPL Reference:	<a href="#">S-11</a> , <a href="#">S-12</a> , <a href="#">S-14</a> , <a href="#">S-46</a>
Ordinance Required:	Yes
Overlap Conflict with Ordinance Types:	17, 29, and 30
Investigation Required by Statute and/or Code:	No
Signing/Marking Required by Statute/Code:	Yes
Additional Information/Justification Required:	No

#### Guidance:

Speed limits on any road on the State Highway System adjacent to or near a school (public, private, or parochial) may be lowered; however, these speed limits shall be no lower than 20 MPH ([§20-141.1](#)).

Speed limits adjacent to or near a school (public, private, or parochial) on any road on the State Highway System outside municipal corporate limits should be completed as a rural school zone speed limit (see Section 3.11).

Speed limits are only effective when signs are erected indicating the presence of a school zone, the maximum speed, and the days and hours that the speed limit is in effect. A timed flasher may be used in lieu of signs indicating days and hours ([§20-141.1](#)).

#### Example(s):

Between 0.2 mile west of NC 89 (Avery Street) and US 1 (Mountain Academy, in effect from 30 minutes before to 30 minutes after school begins and ends on school days only).

Between 0.05 mile south of SR 1300 and 0.2 mile south of SR 1300 (Piedmont Academy, in effect from 7:30 a.m. to 9:00 a.m., and 3:00 p.m. to 4:00 p.m., on school days only).

Between 0.3 mile west of NC 55 (Meeting Street) and US 70 (Durham Academy, in effect from 30 minutes before to 30 minutes after school begins and ends on school days only) – municipal concurrence not required due to the annexation clause in 20-141(f).

### **3.11 School Zone Speed Limit – Rural**

Ordinance Type Number:	30
Ordinance Type Status:	Active
NCGS Authority:	<a href="#">§20-141.1</a>
NCAC Authority:	None
TEPPL Reference:	<a href="#">S-11</a> , <a href="#">S-12</a> , <a href="#">S-14</a> , <a href="#">S-46</a>
Ordinance Required:	Yes
Overlap Conflict with Ordinance Types:	17, 29, and 30
Investigation Required by Statute and/or Code:	No
Signing/Marking Required by Statute/Code:	Yes
Additional Information/Justification Required:	No

#### Guidance:

Speed limits on any road on the State Highway System adjacent to or near a school (public, private, or parochial) may be lowered; however, these speed limits shall be no lower than 20 MPH ([§20-141.1](#)).

Speed limits adjacent to or near a school (public, private, or parochial) on any road on the State Highway System inside municipal corporate limits should be completed as a municipal school zone speed limit (see Section 3.10).

Counties do not have statutory authority to ordinance or enact speed limits.

Speed limits are only effective when signs are erected indicating the presence of a school zone, the maximum speed, and the days and hours that the speed limit is in effect. A timed flasher may be used in lieu of signs indicating days and hours ([§20-141.1](#)).

#### Example(s):

Between 0.19 mile east of SR 2811 and 0.07 mile east of SR 2810 (Eastern Guilford High School, in effect from 30 minutes before to 30 minutes after school begins and ends on school days only).

Between 0.05 mile south of SR 1300 and 0.2 mile south of SR 1300 (Piedmont Academy, in effect from 7:30 a.m. to 9:00 a.m., and 3:00 p.m. to 4:00 p.m., on school days only).

### 3.12 *Speed Zone – Temporary*

Ordinance Type Number:	5
Ordinance Type Status:	Inactive
NCGS Authority:	<a href="#">§20-141</a>
NCAC Authority:	None
TEPPL Reference:	None
Ordinance Required:	Yes
Overlap Conflict with Ordinance Types:	5
Investigation Required by Statute and/or Code:	Yes
Signing/Marking Required by Statute/Code:	Yes
Additional Information/Justification Required:	No

#### Guidance:

Temporary speed limit ordinances are used to reduce speed limits for specific periods and conditions.

**Temporary speed limit ordinances shall not be used for construction or other work activities – use work zone ordinances for these conditions. See Sections 3.13 and 3.14 for more information.**

The specific condition (county fair, seasonal, tourism, etc.), and the beginning and ending date(s) and time(s), for the reduction in speed, shall be listed in the ordinance.

Speed limits in areas outside the corporate limits of a municipality, or on any interstate or controlled access facility (rural or municipal) on the State Highway System, may be lowered by NCDOT from the statutory limit following an engineering and traffic investigation, but are only effective when signs are erected ([§20-141, d](#)).

Speed limits on any interstate or controlled access facility on the State Highway System may be raised by NCDOT from the statutory limit (to a maximum of 70 MPH) following an engineering and traffic investigation, but are only effective when signs are erected ([§20-141, d](#)).

Speed limits on any road on the State Highway System within municipalities that do not have a governing body to enact municipal ordinances as provided by law may be changed by NCDOT following an engineering and traffic investigation ([§20-141, f](#)).

Counties do not have statutory authority to ordinance or enact speed limits.

Engineering and traffic investigations should be conducted or approved by the NCDOT.

Example(s):

Between SR 1010 (Ten-Ten Road) and NC 50 (Benson Highway) for seasonal beach traffic (from 6:00 a.m. the Friday before Memorial Day to 6:00 p.m. the Tuesday following Labor Day).

Between SR 2365 (Greenville Road) and SR 1145 (Johnny Baker Road) for the Pitt County Fair (from 8:00 a.m. on Friday, September 19, 2008 to 8:00 a.m. on Monday, September 22, 2008).

### 3.13 *Work Zone Speed Limit*

Ordinance Type Number:	9
Ordinance Type Status:	Active
NCGS Authority:	<a href="#">§20-141(d)</a>
NCAC Authority:	None
TEPPL Reference:	<a href="#">W-21</a> , <a href="#">W-28</a>
Ordinance Required:	Yes
Overlap Conflict with Ordinance Types:	9 and 36
Investigation Required by Statute and/or Code:	Yes
Signing/Marking Required by Statute/Code:	Yes
Additional Information/Justification Required:	Yes (work zone justification package)

#### Guidance:

A completed “Work Zone Ordinance Request Form” is required along with justification for the work zone speed limit (it is preferred that these items are sent to the Region from Work Zone Traffic Control). Division or other projects that come directly to a Region should be referred to Work Zone Traffic Control.

The ordinance shall have fixed beginning and ending points that are static and do not move.

The beginning and ending points of the ordinance do not have to match the beginning and ending points of the work zone (i.e. they can start before, at, or beyond the beginning of the work zone, and they can end within, at, or beyond the end of the work zone) depending on conditions (sight distance, etc.).

The ordinance shall have a fixed speed limit that is static and does not change.

The ordinance shall be in effect 24 hours per day, 7 days per week.

The ordinance shall be tied to a specific project (or projects). The project number(s) shall be entered in the “Construction Project Number” field in TEAAS.

#### Example(s):

Between 0.58 miles west of SR 1443 (Broughton Road) and 0.92 miles east of SR 1443 (B-2341).

### **3.14 Work Zone Variable Speed Limit**

Ordinance Type Number:	36
Ordinance Type Status:	Active
NCGS Authority:	<a href="#">§20-141(d)</a>
NCAC Authority:	None
TEPPL Reference:	<a href="#">W-21</a> , <a href="#">W-28</a>
Ordinance Required:	Yes
Overlap Conflict with Ordinance Types:	9 and 36
Investigation Required by Statute and/or Code:	Yes
Signing/Marking Required by Statute/Code:	Yes
Additional Information/Justification Required:	Yes (work zone justification package)

#### Guidance:

A completed “Work Zone Ordinance Request Form” is required along with justification for the work zone variable speed limit (it is preferred that these items are sent to the Region from Work Zone Traffic Control). Division or other projects that come directly to a Region should be referred to Work Zone Traffic Control.

The beginning and ending points of the ordinance do not have to match the beginning and ending points of the work zone (i.e. they can start before, at, or beyond the beginning of the work zone, and they can end within, at, or beyond the end of the work zone) depending on conditions (sight distance, etc.).

The ordinance shall be tied to a specific project (or projects). The project number(s) shall be entered in the “Construction Project Number” field in TEAAS.

The speed limit indicated in the car and truck speed limit fields in TEAAS will be considered the minimum maximum speed limit for those types of vehicles.

The lower and upper speed limit range (surrounded by asterisks) and the incremental movement (5 MPH, 10 MPH, etc.) between the lower and upper speed limits shall be included in the ordinance description.

The actual condition(s) when the speed limit will be in effect (i.e. – when work is taking place) and the phrase “based on conditions in the field” shall also be included in the ordinance description.

Resident engineers shall indicate the locations, speed limits, and dates in their project diaries of where the variable work zone speed limits were posted and when they were in effect.

Example(s):

\*45 MPH or 55 MPH\* in an increment of 10 MPH, based on conditions in the field, between 0.2 mile south of the Virginia State Line and the Virginia State Line, to be in effect only when workers are present and/or lane closures are implemented and signs are posted (I-4906).

**3.15 Work Zone Speeding Penalty**

Ordinance Type Number:	10
Ordinance Type Status:	Active
NCGS Authority:	<a href="#">§20-141 (j2)</a>
NCAC Authority:	None
TEPPL Reference:	<a href="#">S-49</a> , <a href="#">W-25</a> , <a href="#">W-28</a>
Ordinance Required:	Yes
Overlap Conflict with Ordinance Types:	None
Investigation Required by Statute and/or Code:	Yes
Signing/Marking Required by Statute/Code:	Yes
Additional Information/Justification Required:	Yes (work zone justification package)

Guidance:

A completed “Work Zone Ordinance Request Form” is required along with justification for the work zone speeding penalty (it is preferred that these items are sent to the Region from Work Zone Traffic Control). Division or other projects that come directly to a Region should be referred to Work Zone Traffic Control.

The ordinance shall be tied to a specific project (or projects). The project number(s) shall be entered in the “Construction Project Number” field in TEAAS.

A work zone speeding penalty may only be written for areas within an actual work zone and may not precede, or extend beyond, the actual work zone limits ([§20-141, j2](#)).

The ordinance shall begin with the verbiage “Between the first sign that informs motorists of a work zone speeding penalty and the last sign that informs motorists of the end of the work zone speeding penalty...” to indicate the penalty is only for speeding in that segment of the work zone ([§20-141, j2](#)).

Example(s):

Between the first sign that informs motorists of a work zone speeding penalty and the last sign that informs motorists of the end of the work zone speeding penalty, between 0.3 mile east of SR 1203 and 0.2 miles west of SR 1454 (B-2341).

### **3.16 *Minimum Speed – Municipal***

Ordinance Type Number:	31
Ordinance Type Status:	Active
NCGS Authority:	<a href="#">§20-141(g)</a>
NCAC Authority:	None
TEPPL Reference:	<a href="#">M-22</a>
Ordinance Required:	Sometimes (see “Guidance”)
Overlap Conflict with Ordinance Types:	16, 31, and 32
Investigation Required by Statute and/or Code:	Yes
Signing/Marking Required by Statute/Code:	Yes
Additional Information/Justification Required:	Yes (municipal certificate)

#### Guidance:

No ordinance is required for interstates and other primary highways that have a maximum speed limit of 55 MPH or greater if the minimum speed limit is 40 MPH for roads with a posted speed limit of 55 MPH, or if the minimum speed limit is 45 MPH for roads with a posted speed limit of 60 MPH or greater ([§20-141, c](#) – see Section 3.1, “Statutory Speed Limits”).

Minimum speed limits on other roads on the State Highway System within the corporate limits of a municipality may be established following an engineering and traffic investigation that determines slow speeds on any part of the road “considerably impede the normal and reasonable movement of traffic.” However, these speed limits shall have concurring ordinances with the municipality and are only effective when signs are erected ([§20-141, g](#)).

Minimum speed limits on any road on the State Highway System within municipalities that do not have a governing body to enact municipal ordinances as provided by law should be completed as a rural minimum speed limit ([§20-141, f](#) – see Section 3.17, “Minimum Speed – Rural”).

Engineering and traffic investigations should be conducted or approved by the NCDOT.

Counties do not have statutory authority to ordinance or enact speed limits.

A minimum speed limit does not apply to “farm tractors or other motor vehicles operating at reasonable speeds for the type and nature of such vehicles” ([§20-141, g](#)).

#### Example(s):

Between SR 1101 (Stewart Road) and 0.35 miles south of NC 42.

Between 0.3 mile west of NC 55 (Meeting Street) and US 70 – municipal concurrence not required due to the annexation clause in 20-141(f).

### **3.17 *Minimum Speed – Rural***

Ordinance Type Number:	32
Ordinance Type Status:	Active
NCGS Authority:	<a href="#">§20-141(g)</a>
NCAC Authority:	None
TEPPL Reference:	<a href="#">M-22</a>
Ordinance Required:	Sometimes (see “Guidance”)
Overlap Conflict with Ordinance Types:	16, 31, and 32
Investigation Required by Statute and/or Code:	Yes
Signing/Marking Required by Statute/Code:	Yes
Additional Information/Justification Required:	No

#### Guidance:

No ordinance is required for interstates and other primary highways that have a maximum speed limit of 55 MPH or greater if the minimum speed limit is 40 MPH for roads with a posted speed limit of 55 MPH, or if the minimum speed limit is 45 MPH for roads with a posted speed limit of 60 MPH or greater ([§20-141, c](#) – see Section 3.1, “Statutory Speed Limits”).

For all other roads in areas outside the corporate limits of a municipality on the State Highway System, minimum speed limits may be established by NCDOT following an engineering and traffic investigation that determines slow speeds on any part of the road “considerably impede the normal and reasonable movement of traffic.” However, minimum speed limits are only effective when signs are erected ([§20-141, g](#)).

Minimum speed limits on any road on the State Highway System within municipalities that do not have a governing body to enact municipal ordinances as provided by law may be set by NCDOT following an engineering and traffic investigation ([§20-141, f](#)).

Counties do not have statutory authority to ordinance or enact speed limits.

Engineering and traffic investigations should be conducted or approved by the NCDOT.

A minimum speed limit does not apply to “farm tractors or other motor vehicles operating at reasonable speeds for the type and nature of such vehicles” ([§20-141, g](#)).

#### Example(s):

Between 0.42 miles north of US 64 and 0.78 miles south of US 64.

### **3.18 *Speed Limit on Structures***

Ordinance Type Number:	33
Ordinance Type Status:	Active
NCGS Authority:	<a href="#">§20-144</a>
NCAC Authority:	None
TEPPL Reference:	None
Ordinance Required:	Yes
Overlap Conflict with Ordinance Types:	None
Investigation Required by Statute and/or Code:	Yes
Signing/Marking Required by Statute/Code:	Yes
Additional Information/Justification Required:	No

#### Guidance:

When speed may affect the safety of a public structure (bridge, causeway, or viaduct), a safety and engineering study shall be used to determine the maximum safe speed for the structure ([§20-144](#)).

Safety and engineering studies should be conducted or approved by the NCDOT.

Municipal concurrence is not required if the structure is within the corporate limits of a municipality ([§20-144](#)).

#### Example(s):

Bridge 170276 over Southern Railroad.

### **3.19 *Night Time Speed Limit – Municipal***

Ordinance Type Number:	34
Ordinance Type Status:	Active
NCGS Authority:	<a href="#">§20-141(f)</a>
NCAC Authority:	None
TEPPL Reference:	<a href="#">S-34</a> , <a href="#">S-40</a> , <a href="#">S-41</a>
Ordinance Required:	Yes
Overlap Conflict with Ordinance Types:	34 and 35
Investigation Required by Statute and/or Code:	Yes
Signing/Marking Required by Statute/Code:	Yes
Additional Information/Justification Required:	Yes (municipal certificate)

#### Guidance:

Speed limits on any road within the corporate limits of a municipality on the State Highway System (not including interstate or controlled access facilities) may be changed (raised or lowered) from the statutory limit following an engineering and traffic investigation. However, these speed limits shall have concurring ordinances with the municipality, can be no greater than 55 MPH, and are only effective when signs are erected ([§20-141, f](#)).

Speed limits on any road on the State Highway System within municipalities that do not have a governing body to enact municipal ordinances as provided by law, or any road that is an interstate or controlled access facility, should be completed as a rural night time speed limit (see Section 3.20).

Counties do not have statutory authority to ordinance or enact speed limits.

Engineering and traffic investigations should be conducted or approved by the NCDOT.

#### Example(s):

Between SR 1478 (Sunset Road) and SR 1001 (River Road).

Between 0.3 mile west of NC 55 (Meeting Street) and US 70 – municipal concurrence not required due to the annexation clause in 20-141(f).

### 3.20 *Night Time Speed Limit – Rural*

Ordinance Type Number:	35
Ordinance Type Status:	Active
NCGS Authority:	<a href="#">§20-141 (d, f)</a>
NCAC Authority:	None
TEPPL Reference:	<a href="#">S-34</a> , <a href="#">S-40</a>
Ordinance Required:	Yes
Overlap Conflict with Ordinance Types:	34 and 35
Investigation Required by Statute and/or Code:	Yes
Signing/Marking Required by Statute/Code:	Yes
Additional Information/Justification Required:	No

#### Guidance:

Speed limits on any road on the State Highway System outside the corporate limits of a municipality, or on any interstate or controlled access facility, may be lowered by NCDOT from the statutory limit following an engineering and traffic investigation, but are only effective when signs are erected ([§20-141, d](#)).

Speed limits on any interstate or controlled access facility on the State Highway System may be raised by NCDOT from the statutory limit, to a maximum of 70 MPH, following an engineering and traffic investigation but are only effective when signs are erected ([§20-141, d](#)).

Speed limits on any road on the State Highway System within municipalities that do not have a governing body to enact municipal ordinances as provided by law may be changed by NCDOT following an engineering and traffic investigation ([§20-141, f](#)).

Counties do not have statutory authority to ordinance or enact speed limits.

Engineering and traffic investigations should be conducted or approved by the NCDOT.

#### Example(s):

Between US 117 and SR 1143.

### 3.21 *Variable Speed Limit – Municipal*

Ordinance Type Number:	37
Ordinance Type Status:	Active
NCGS Authority:	<a href="#">§20-141 (f)</a>
NCAC Authority:	None
TEPPL Reference:	<a href="#">S-34</a> , <a href="#">S-40</a> , <a href="#">S-41</a>
Ordinance Required:	Yes
Overlap Conflict with Ordinance Types:	2, 3, 37, and 38
Investigation Required by Statute and/or Code:	Yes
Signing/Marking Required by Statute/Code:	Yes
Additional Information/Justification Required:	Yes (municipal certificate)

#### Guidance:

Speed limits on any road within the corporate limits of a municipality on the State Highway System (not including interstate or controlled access facilities) may be changed (raised or lowered) from the statutory limit following an engineering and traffic investigation. However, these speed limits shall have concurring ordinances with the municipality, can be no greater than 55 MPH, and are only effective when signs are erected ([§20-141, f](#)).

Speed limits on any road on the State Highway System within municipalities that do not have a governing body to enact municipal ordinances as provided by law, or any road that is an interstate or controlled access facility, should be completed as a rural variable speed limit (see Section 3.22).

**Variable speed limit ordinances shall not be used for seasonal conditions (such as fairs, beach traffic, etc.); see sections 3.25 (“Temporary Speed Limits – Municipal”) and 3.26 (“Temporary Speed Limits – Rural”) for ordinances to be used for seasonal conditions.**

Counties do not have statutory authority to ordinance or enact speed limits.

Engineering and traffic investigations should be conducted or approved by the NCDOT.

The speed limit indicated in the car and truck speed limit fields in TEAAS will be considered the minimum maximum speed limit for those types of vehicles.

The lower and upper speed limit range (surrounded by asterisks) and the incremental movement (5 MPH, 10 MPH, etc.) between the lower and upper speed limits shall be included in the ordinance description.

The actual condition(s), or times of day, when the lower maximum speed limit will be in effect shall also be included in the ordinance description.

Example(s):

\*45 MPH or 55 MPH\* in an increment of 10 MPH, between SR 2357 (Apple Street) and Madison Boulevard, the lower limit to be in effect from 6:30 a.m. and 9:00 a.m.

\*45 MPH or 55 MPH\* in an increment of 10 MPH, between 0.3 mile west of NC 55 (Meeting Street) and US 70 – municipal concurrence not required due to the annexation clause in 20-141(f).

**3.22 Variable Speed Limit – Rural**

Ordinance Type Number:	38
Ordinance Type Status:	Active
NCGS Authority:	<a href="#">§20-141 (d, f)</a>
NCAC Authority:	None
TEPPL Reference:	<a href="#">S-34</a> , <a href="#">S-40</a>
Ordinance Required:	Yes
Overlap Conflict with Ordinance Types:	2, 3, 37, and 38
Signing/Marking Required by Statute/Code:	Yes
Signing Required by Statute and/or Code:	Yes
Additional Information/Justification Required:	No

Guidance:

Speed limits on any road on the State Highway System outside the corporate limits of a municipality, or on any interstate or controlled access facility, may be lowered by NCDOT from the statutory limit following an engineering and traffic investigation, but are only effective when signs are erected ([§20-141, d](#)).

Speed limits on any interstate or controlled access facility on the State Highway System may be raised by NCDOT from the statutory limit, to a maximum of 70 MPH, following an engineering and traffic investigation but are only effective when signs are erected ([§20-141, d](#)).

Speed limits on any road on the State Highway System within municipalities that do not have a governing body to enact municipal ordinances as provided by law may be changed by NCDOT following an engineering and traffic investigation ([§20-141, f](#)).

**Variable speed limit ordinances shall not be used for seasonal conditions (such as fairs, beach traffic, etc.); see sections 3.25 (“Temporary Speed Limits – Municipal”) and 3.26 (“Temporary Speed Limits – Rural”) for ordinances to be used for seasonal conditions.**

Counties do not have statutory authority to ordinance or enact speed limits.

Engineering and traffic investigations should be conducted or approved by the NCDOT.

The speed limit indicated in the car and truck speed limit fields in TEAAS will be considered the minimum maximum speed limit for those types of vehicles.

The lower and upper speed limit range (surrounded by asterisks) and the incremental movement (5 MPH, 10 MPH, etc.) between the lower and upper speed limits shall be included in the ordinance description.

The actual condition(s), or times of day, when the lower maximum speed limit will be in effect shall also be included in the ordinance description.

Example(s):

\*45 MPH or 55 MPH\* in an increment of 10 MPH, between SR 2357 (Apple Street) and Madison Boulevard, the lower limit to be in effect from 6:30 a.m. and 9:00 a.m.

### 3.23 *Minimum Speed*

Ordinance Type Number:	16
Ordinance Type Status:	Inactive
NCGS Authority:	<a href="#">§20-141 (g)</a>
NCAC Authority:	None
TEPPL Reference:	<a href="#">S-40</a>
Ordinance Required:	Yes
Overlap Conflict with Ordinance Types:	16, 31, and 32
Investigation Required by Statute and/or Code:	Yes
Signing/Marking Required by Statute/Code:	Yes
Additional Information/Justification Required:	Sometimes (municipal certificate)

Guidance:

This ordinance type is no longer used (discontinued November 6, 2009) and is being phased out in favor of type 31 “Minimum Speed – Municipal” and type 32 “Minimum Speed – Rural” (see Sections 3.16 and 3.17).

Example(s):

N/A

### 3.24 *Temporary Speed Limits – Municipal*

Ordinance Type Number:	72
Ordinance Type Status:	Active
NCGS Authority:	<a href="#">§20-141 (f)</a>
NCAC Authority:	None
TEPPL Reference:	<a href="#">S-34</a> , <a href="#">S-40</a> , <a href="#">S-41</a>
Ordinance Required:	Yes
Overlap Conflict with Ordinance Types:	5, 72, 73
Investigation Required by Statute and/or Code:	Yes
Signing/Marking Required by Statute/Code:	Yes
Additional Information/Justification Required:	Yes (municipal certificate)

#### Guidance:

Temporary speed limit ordinances are used to reduce speed limits for specific periods (i.e. seasonal).

**Temporary speed limit ordinances shall not be used for construction or other work activities – use work zone ordinances for these conditions. See Sections 3.13 and 3.14 for more information.**

The specific beginning and ending dates (and times, if appropriate) shall be listed in the ordinance description. The reason for the temporary speed limit (i.e. condition such as county fair, beach traffic, etc.) should also be included in the ordinance description.

Speed limits in areas outside the corporate limits of a municipality, or on any interstate or controlled access facility (rural or municipal) on the State Highway System, may be lowered by NCDOT from the statutory limit following an engineering and traffic investigation, but are only effective when signs are erected ([§20-141, d](#)).

Speed limits on any interstate or controlled access facility on the State Highway System may be raised by NCDOT from the statutory limit (to a maximum of 70 MPH) following an engineering and traffic investigation, but are only effective when signs are erected ([§20-141, d](#)).

Speed limits on any road on the State Highway System within municipalities that do not have a governing body to enact municipal ordinances as provided by law may be changed by NCDOT following an engineering and traffic investigation ([§20-141, f](#)).

Counties do not have statutory authority to ordinance or enact speed limits.

Engineering and traffic investigations should be conducted or approved by the NCDOT.

Example(s):

Between SR 1010 (Ten-Ten Road) and NC 50 (Benson Highway) for seasonal beach traffic (from 6:00 a.m. the Friday before Memorial Day to 6:00 p.m. the Tuesday following Labor Day).

Between SR 2365 (Greenville Road) and SR 1145 (Johnny Baker Road) for the Pitt County Fair (from 8:00 a.m. on Friday, September 19, 2008 to 8:00 a.m. on Monday, September 22, 2008).

Between 200 feet west of SR 1304 and 400 feet east of SR 1307 (seasonal, to be in effect from November 1 to December 24 of each year).

### 3.25 *Temporary Speed Limits – Rural*

Ordinance Type Number:	73
Ordinance Type Status:	Active
NCGS Authority:	<a href="#">§20-141 (d, f)</a>
NCAC Authority:	None
TEPPL Reference:	<a href="#">S-34</a> , <a href="#">S-40</a>
Ordinance Required:	Yes
Overlap Conflict with Ordinance Types:	5, 72, 73
Investigation Required by Statute and/or Code:	Yes
Signing/Marking Required by Statute/Code:	Yes
Additional Information/Justification Required:	No

#### Guidance:

Temporary speed limit ordinances are used to reduce speed limits for specific periods (i.e. seasonal).

**Temporary speed limit ordinances shall not be used for construction or other work activities – use work zone ordinances for these conditions. See Sections 3.13 and 3.14 for more information.**

The specific beginning and ending dates (and times, if appropriate) shall be listed in the ordinance description. The reason for the temporary speed limit (i.e. condition such as county fair, beach traffic, etc.) should also be included in the ordinance description.

Speed limits in areas outside the corporate limits of a municipality, or on any interstate or controlled access facility (rural or municipal) on the State Highway System, may be lowered by NCDOT from the statutory limit following an engineering and traffic investigation, but are only effective when signs are erected ([§20-141, d](#)).

Speed limits on any interstate or controlled access facility on the State Highway System may be raised by NCDOT from the statutory limit (to a maximum of 70 MPH) following an engineering and traffic investigation, but are only effective when signs are erected ([§20-141, d](#)).

Speed limits on any road on the State Highway System within municipalities that do not have a governing body to enact municipal ordinances as provided by law may be changed by NCDOT following an engineering and traffic investigation ([§20-141, f](#)).

Counties do not have statutory authority to ordinance or enact speed limits.

Engineering and traffic investigations should be conducted or approved by the NCDOT.

Example(s):

Between SR 1010 (Ten-Ten Road) and NC 50 (Benson Highway) for seasonal beach traffic (from 6:00 a.m. the Friday before Memorial Day to 6:00 p.m. the Tuesday following Labor Day).

Between SR 2365 (Greenville Road) and SR 1145 (Johnny Baker Road) for the Pitt County Fair (from 8:00 a.m. on Friday, September 19, 2008 to 8:00 a.m. on Monday, September 22, 2008).

### 3.26 *Statutory Speed Limit Verification*

Ordinance Type Number:	99
Ordinance Type Status:	Active
NCGS Authority:	<a href="#">§20-141 (b)</a>
NCAC Authority:	None
TEPPL Reference:	<a href="#">S-40</a> , <a href="#">S-41</a> , <a href="#">S-45</a>
Ordinance Required:	Yes (see “Guidance”)
Overlap Conflict with Ordinance Types:	None
Investigation Required by Statute and/or Code:	No
Signing/Marking Required by Statute/Code:	No
Additional Information/Justification Required:	No

Guidance:

Statutory speed limits are as follows:

- Thirty-five miles per hour inside municipal corporate limits for all vehicles
- Fifty-five miles per hour outside municipal corporate limits for all vehicles except for school buses and school activity buses

This ordinance is used exclusively for tracking the verification of statutory speed limits. It is only used as an inventory for those segments of road that have had an engineering and traffic investigation to verify that the statutory speed limit, at the time of the investigation, is the correct speed limit for the given roadway segment, and is not used to set speed limits.

For statutory speed limit verifications stemming from the Secondary Roads Safety Program (SRSP), the initials “SRSP” shall be entered into the “Construction Project Number” field in TEAAS.

Example(s):

Between SR 1010 (Ten-Ten Road) and NC 50 (Benson Highway).

### 3.27 *HOT Lanes – Speed Limits*

Ordinance Type Number:	83
Ordinance Type Status:	Active
NCGS Authority:	<a href="#">§20-141(d)</a> , <a href="#">§20-141(f)</a>
NCAC Authority:	None
TEPPL Reference:	<a href="#">S-40</a> , <a href="#">S-45</a>
Ordinance Required:	Yes (see “Guidance”)
Overlap Conflict with Ordinance Types:	83
Investigation Required by Statute and/or Code:	Yes
Signing/Marking Required by Statute/Code:	Yes
Additional Information/Justification Required:	No

#### Guidance:

Speed limits on any road on the State Highway System outside the corporate limits of a municipality, or on any interstate or controlled access facility, may be lowered by NCDOT from the statutory limit following an engineering and traffic investigation, but are only effective when signs are erected ([§20-141, d](#)).

Speed limits on any interstate or controlled access facility on the State Highway System may be raised by NCDOT from the statutory limit, to a maximum of 70 MPH, following an engineering and traffic investigation but are only effective when signs are erected ([§20-141, d](#)).

Speed limits on any road on the State Highway System within municipalities that do not have a governing body to enact municipal ordinances as provided by law may be changed by NCDOT following an engineering and traffic investigation ([§20-141, f](#)).

Engineering and traffic investigations should be conducted or approved by the NCDOT.

Counties do not have statutory authority to ordinance or enact speed limits.

Replacement ordinances with speed limits more than 10 MPH above or below the speed limit of the ordinance being replaced shall have justification provided.

High occupancy toll (HOT) lanes are defined in General Statutes ([§136-89.199](#)).

#### Example(s):

Between Mile Marker 28.0 and the Iredell County line.

Between Mile Marker 13.0 and Mile Marker 28.0.