STATE OF NORTH CAROLINA

# DEPARTMENT OF TRANSPORTATION

P.O. BOX 25201, RALEIGH, NC 27611-5201

# CERTIFICATION OF RULEMAKING

| | | | | | |
|---|---|---|---|---|---|
| **Certifying Agency:** Department of Transportation | | | | | |
| **Action:** | X | Adoption | | | Repeal |
| **Statutory Authority:** 20-116 (h), 20-115.1 (b), 136-18 (5). | | | | | |
| **Public Hearing Not Required For This Action Under:** GS 150A-1, 20-1. | | | | | |
| **Rule Summary:** Trucks Prohibited Route. | | | | | |
| **Circumstances Requiring Rule Adoption, Repeal:** Necessary for public safety and welfare. | | | | | |
| **Effective Date:** March 19, 2009 | | | | | |

March 18, 2009
**DATE**

**OFFICER SIGNATURE**

James. K. Lacy, P.E.
**TYPED NAME**

State Traffic Engineer
**TITLE**

## Trucks Prohibited Route

The Board of Transportation has delegated to the Secretary of Transportation the authority to adopt and promulgate all rules and regulations and ordinances regulating traffic on the highways pursuant to authority of N.C.G.S 143B-350 (g) (see 19ANCAC 4A.0004).

The State Traffic Engineer is subdelegated the authority by the Secretary of Transportation to adopt and promulgate all necessary rules, regulations and ordinances for the use of and to police traffic on state highways, and to set, change, or extend route numbers on the Primary Highway System of North Carolina pursuant to authority of N.C.G.S 143B-350(g) (see 19ANCAC 4A.0004).

Pursuant to that delegation, the State Traffic Engineer hereby adopts and promulgates the following ordinances based on traffic and engineering studies performed by the Traffic Engineering Branch, Department of Transportation, and in accordance with General Statute 136-18 (5), 20-116 (h), 20-115.1 (b).

**COUNTY** BLADEN **DIVISION** 6

**DECLARE THE FOLLOWING**

| County | Ordinance Number | Route | Description |
|---|---|---|---|
| BLADEN | 1059622 | SR 1320 | Trucks with 3 axles or more are prohibited from NC 53 northward to SR 1318 (River Rd.) southwest of White Oak. |

The foregoing Highway Traffic Ordinances are hereby adopted in accordance with the General Statutes of North Carolina (20-116 (h), 20-115.1 (b), 136-18 (5)).

**All the actions to the Highway Traffic Ordinances herein adopted are effective March 19, 2009 and are identified as follows:**

| ORDINANCE TYPE | ADOPT | REPEAL |
|---|---|---|
| Trucks Prohibited Route | 1 | 0 |
| **Total** | **1** | **0** |

The Division Engineer for each affected Division shall cause to be erected appropriate signs indicating the action of the State Traffic Engineer and these ordinances shall be in full force and effect from and after the erection of such signs.

March 18, 2009
**DATE**

**OFFICER SIGNATURE**

James. K. Lacy, P.E.
**TYPED NAME**

State Traffic Engineer
**TITLE**

RECEIVED
MAR 17 2009

STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

MICHAEL F. EASLEY
GOVERNOR

P.O. BOX 25201, RALEIGH, N.C. 27611-5201

LYNDO TIPPETT
SECRETARY

**MEMORANDUM**

**TO:** Al Grandy, Regional Traffic Engineer

**FROM:** W. L. Jernigan, Jr., P.E., Division Traffic Engineer WJJ

**DATE:** March 16, 2009

**SUBJECT:** SR 1320 (Burney Road) Thru Truck Prohibition, Bladen Co.

This is in response to our recommendation for the installation of a "No Thru Trucks" ordinance on SR 1320 (Burney Road) near White Oak in Bladen Co. Our recommendation is to prohibit thru trucks on SR 1320 (Burney Road) from NC 53 northward to SR 1318 (River Road), requiring truck traffic to travel along NC 53 to SR 1318 (River Road).

This recommendation is based on pavement condition and horizontal alignment of this route. In discussions with District Engineer, Mr. H. L. Cox, P.E., it was noted SR 1320 (Burney Road) is a 20' wide two lane roadway with a BST surface and a pavement condition survey rating of 58.4 of a possible 100. This route is 3.07 miles in length and is experiencing pavement deterioration consistent with structural deficiencies such as base failure. In addition, the horizontal alignment and narrow width may require trucks to depart from their travel lane. Also, it was noted the route trucks will be required to travel, NC 53 to SR 1318, has plant mix asphalt surface with pavement conditions of 95 and 100, is 22' wide and is 3.8 miles long. Based on this information, we recommend a "No Thru Trucks" ordinance on SR 1320 (Burney Road) from NC 53 to SR 1318 (River Road).

If you need any additional information, please advise.

WLJ

cc: G. W. Burns, P.E., Acting Division Engineer
H. L. Cox, District Engineer, att.
L. K. Langdon, Assistant Division Traffic Engineer, att.

STATE OF NORTH CAROLINA
# DEPARTMENT OF TRANSPORTATION

PAT MCCRORY
GOVERNOR

ANTHONY J. TATA
SECRETARY

July 22, 2015

**To:** File

**From:** Kevin Lacy, P.E., State Traffic Engineer

**Subject:** Clarification of Signing Requirements for Truck Restriction Ordinances

This memo is to clarify signing requirements for truck restriction ordinances. In accordance with General Statute §20-116 (h), the Department may prohibit the use of "heavy trucks or other vehicles of a gross vehicle weight or axle load limit in excess of a designated maximum" on one route and designate another route of "approximately the same distance between two or more points" as a truck route. Ordinances enacted pursuant to this statute shall have signs posted in accordance with the statute.

Truck restrictions enacted under General Statute §20-115.1 (b) do not have a statutory or code requirement for signing, although some may be signed to improve compliance. Therefore, any ordinance package that contains the following verbiage:

> "The Division Engineer for each affected Division shall cause to be erected appropriate signs indicating the action of the State Traffic Engineer and these ordinances shall be in full force and effect from and after the erection of such signs."

…applies to only those ordinances that have a statutory requirement to be signed and does not apply to truck restriction ordinances enacted under §20-115.1 (b). These ordinances become effective when the ordinance is passed and the restriction is published on the NCDOT web site and truck restriction maps are updated. See the attachment for a list of all ordinances in effect as of July 8, 2015 that were enacted under General Statutes §20-115.1 (b) since September 1, 2008 when Session Law 2008-221 (SB 1695) became effective that are not required to be signed by statute, and this clarification memo will be added to these ordinance packages for future reference. If you have any questions or need additional information, please contact the Transportation Mobility and Safety Division at (919) 773-2800.

Attachment

JKL/rjj

cc: T. M. Hopkins, P.E.
A. D. Wyatt, P.E.
R. J. Jaeger, P.E.
L. N. Avery

**MAILING ADDRESS:**
TRANSPORTATION MOBILITY AND SAFETY DIVISION
1561 MAIL SERVICE CENTER
RALEIGH, NC 27699-1561

TELEPHONE: 919-773-2800
FAX: 919-771-2745

WEBSITE: WWW.NCDOT.ORG

**LOCATION:**
750 N. GREENFIELD PARKWAY
GARNER, NC 27529

# Truck Ordinance Signing Clarification Memo Attachment:
# Truck Ordinances without a Statutory Signing Requirement

| Ordinance Number | Effective Date |
|---|---|
| 1058402 | 8/29/2008 |
| 1058406 | 8/29/2008 |
| 1058407 | 8/29/2008 |
| 1058408 | 8/29/2008 |
| 1058409 | 8/29/2008 |
| 1058410 | 8/29/2008 |
| 1058411 | 8/29/2008 |
| 1058412 | 8/29/2008 |
| 1058413 | 8/29/2008 |
| 1058414 | 8/29/2008 |
| 1058415 | 8/29/2008 |
| 1058416 | 8/29/2008 |
| 1058417 | 8/29/2008 |
| 1058418 | 8/29/2008 |
| 1058420 | 8/29/2008 |
| 1058421 | 8/29/2008 |
| 1058422 | 8/29/2008 |
| 1058423 | 8/29/2008 |
| 1058424 | 8/29/2008 |
| 1058445 | 8/29/2008 |
| 1058447 | 8/29/2008 |
| 1058448 | 8/29/2008 |
| 1058451 | 8/29/2008 |
| 1058452 | 8/29/2008 |
| 1058456 | 8/29/2008 |
| 1058458 | 8/29/2008 |
| 1058459 | 8/29/2008 |
| 1058460 | 8/29/2008 |
| 1058461 | 8/29/2008 |
| 1058462 | 8/29/2008 |
| 1058463 | 8/29/2008 |
| 1058464 | 8/29/2008 |
| 1058465 | 8/29/2008 |
| 1058468 | 8/29/2008 |
| 1058469 | 8/29/2008 |
| 1058470 | 8/29/2008 |
| 1058471 | 8/29/2008 |
| 1058476 | 8/29/2008 |
| 1058477 | 8/28/2008 |
| 1058478 | 8/29/2008 |
| 1058479 | 8/29/2008 |
| 1058480 | 8/29/2008 |
| 1058481 | 8/29/2008 |
| 1058482 | 8/29/2008 |
| 1058483 | 8/28/2008 |
| 1058484 | 8/29/2008 |
| 1058485 | 8/29/2008 |
| 1058487 | 8/29/2008 |
| 1058489 | 8/29/2008 |
| 1058490 | 8/29/2008 |
| 1058491 | 8/29/2008 |
| 1058492 | 8/29/2008 |
| 1058493 | 8/29/2008 |
| 1058494 | 8/29/2008 |
| 1058495 | 8/29/2008 |

| Ordinance Number | Effective Date |
|---|---|
| 1058496 | 8/29/2008 |
| 1058497 | 8/29/2008 |
| 1058498 | 8/29/2008 |
| 1058499 | 8/29/2008 |
| 1058500 | 8/29/2008 |
| 1058502 | 8/29/2008 |
| 1058504 | 8/29/2008 |
| 1058505 | 8/29/2008 |
| 1058506 | 8/29/2008 |
| 1058507 | 8/29/2008 |
| 1058508 | 8/29/2008 |
| 1058509 | 8/29/2008 |
| 1058510 | 8/29/2008 |
| 1058512 | 8/29/2008 |
| 1058513 | 8/28/2008 |
| 1058514 | 8/29/2008 |
| 1058515 | 8/29/2008 |
| 1058516 | 8/29/2008 |
| 1058517 | 8/29/2008 |
| 1058520 | 8/29/2008 |
| 1058521 | 8/29/2008 |
| 1058522 | 8/28/2008 |
| 1058523 | 8/29/2008 |
| 1058524 | 8/29/2008 |
| 1058525 | 8/29/2008 |
| 1058527 | 8/29/2008 |
| 1058528 | 8/29/2008 |
| 1058531 | 8/29/2008 |
| 1058532 | 8/29/2008 |
| 1058535 | 8/29/2008 |
| 1058536 | 8/29/2008 |
| 1058537 | 8/29/2008 |
| 1058538 | 8/28/2008 |
| 1058539 | 8/29/2008 |
| 1058540 | 8/29/2008 |
| 1058541 | 8/29/2008 |
| 1058542 | 8/29/2008 |
| 1058543 | 8/29/2008 |
| 1058546 | 8/29/2008 |
| 1058547 | 8/29/2008 |
| 1058548 | 8/29/2008 |
| 1058549 | 8/28/2008 |
| 1058550 | 8/29/2008 |
| 1058551 | 8/28/2008 |
| 1058553 | 8/29/2008 |
| 1058554 | 8/29/2008 |
| 1058561 | 8/29/2008 |
| 1058562 | 8/29/2008 |
| 1058565 | 8/29/2008 |
| 1058566 | 8/29/2008 |
| 1058567 | 8/29/2008 |
| 1058568 | 8/29/2008 |
| 1058569 | 8/29/2008 |
| 1058570 | 8/29/2008 |
| 1058573 | 8/29/2008 |

| Ordinance Number | Effective Date |
|---|---|
| 1058574 | 8/29/2008 |
| 1058576 | 8/29/2008 |
| 1058577 | 8/29/2008 |
| 1058581 | 8/29/2008 |
| 1058582 | 8/29/2008 |
| 1058591 | 8/29/2008 |
| 1058622 | 8/30/2008 |
| 1058623 | 8/30/2008 |
| 1058624 | 8/30/2008 |
| 1059394 | 12/19/2008 |
| 1059472 | 2/6/2009 |
| 1059622 | 3/19/2009 |
| 1059757 | 3/23/2009 |
| 1059758 | 3/23/2009 |
| 1060136 | 2/23/2010 |
| 1060137 | 2/23/2010 |
| 1060138 | 2/23/2010 |
| 1060140 | 2/23/2010 |
| 1060141 | 2/23/2010 |
| 1060142 | 2/23/2010 |
| 1060143 | 2/23/2010 |
| 1060276 | 2/23/2010 |
| 1060417 | 9/29/2009 |
| 1061607 | 10/14/2010 |
| 1061608 | 10/14/2010 |
| 1061628 | 10/14/2010 |
| 1061629 | 10/14/2010 |
| 1061630 | 10/14/2010 |
| 1061631 | 10/14/2010 |
| 1061632 | 10/14/2010 |
| 1061696 | 10/14/2010 |
| 1061699 | 8/23/2010 |
| 1061700 | 8/23/2010 |
| 1061831 | 11/2/2010 |
| 1061878 | 10/18/2010 |
| 1061879 | 10/18/2010 |
| 1061880 | 10/18/2010 |
| 1062392 | 2/17/2011 |
| 1062438 | 12/23/2010 |
| 1062578 | 2/17/2011 |
| 1062728 | 4/13/2011 |
| 1062729 | 4/13/2011 |
| 1063272 | 8/18/2011 |
| 1063312 | 9/7/2011 |
| 1063352 | 9/27/2011 |
| 1063504 | 10/27/2011 |
| 1063607 | 1/11/2012 |
| 1063893 | 2/8/2012 |
| 1063935 | 2/8/2012 |
| 1064121 | 2/29/2012 |
| 1064122 | 2/29/2012 |
| 1064689 | 5/7/2012 |
| 1065014 | 8/29/2012 |
| 1065132 | 7/11/2012 |
| 1065503 | 10/18/2012 |

| Ordinance Number | Effective Date |
|---|---|
| 1065727 | 2/28/2013 |
| 1065728 | 2/28/2013 |
| 1065731 | 2/28/2013 |
| 1065733 | 2/28/2013 |
| 1065734 | 2/28/2013 |
| 1065735 | 2/28/2013 |
| 1066456 | 5/10/2013 |
| 1066504 | 5/14/2013 |
| 1066541 | 5/17/2013 |
| 1066785 | 7/23/2013 |
| 1066824 | 8/5/2013 |
| 1066859 | 8/13/2013 |
| 1066903 | 8/23/2013 |
| 1066904 | 8/23/2013 |
| 1066905 | 8/23/2013 |
| 1066906 | 8/23/2013 |
| 1067042 | 10/31/2013 |
| 1067043 | 10/31/2013 |
| 1067044 | 10/31/2013 |
| 1067150 | 11/12/2013 |
| 1067216 | 12/2/2013 |
| 1067387 | 1/6/2014 |
| 1067778 | 3/26/2014 |
| 1067779 | 3/26/2014 |
| 1067793 | 4/4/2014 |
| 1067822 | 4/4/2014 |
| 1068061 | 7/22/2014 |
| 1068668 | 11/20/2014 |
| 1069230 | 5/19/2015 |