

19A NCAC 02D .0406 CONSTRUCTION AND MAINTENANCE OF SIDEWALKS

- (a) When a highway construction project having to do with the widening of an existing street requires that an existing sidewalk be torn up to make room for the widening, the Department of Transportation shall replace the sidewalk.
- (b) The Department shall evaluate the need for sidewalks in the planning process. The Department shall assess information provided by the local government, Transportation Advisory Committee, and departmental engineering studies.
- (c) The Department shall analyze the existing and projected future need for a pedestrian facility in every major highway project planning report. The Department may construct a sidewalk if the need is documented and funding is available.
- (d) The Department and the local sponsor shall negotiate financial responsibilities for a new sidewalk based on planning studies.
- (e) The Department shall execute a pedestrian facilities maintenance agreement specifying responsibility for long term maintenance with the lead government entity or other local sponsor prior to construction for a proposed sidewalk.

*History Note: Authority G.S. 136-66.1; 143B-346; 143B-350(f); 143B-350(g); 23 U.S.C. 133; 23 U.S.C. 217;
Eff. July 1, 1978;
Amended Eff. May 1, 1999; December 29, 1993.*