Larry
FYI 12/29/87
George

STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION
P.O. BOX 25201
RALEIGH 27611

August 20, 1987

JAMES G. MARTIN
GOVERNOR

AMES E. HARRINGTON
SECRETARY

DIVISION OF HIGHWAYS

GEORGE E. WELLS, P.E.
STATE HIGHWAY ADMINISTRATOR

MEMORANDUM

TO: Division Engineers

FROM: J. M. Lynch, P.E., State Traffic Engineer

SUBJECT: Revised Legislation Granting the Department of Transportation the Authority to Require Improvements by Others

Attached is a copy of the ratified bill, Senate Bill 397, which establishes the authority for requiring improvements, consisting of speed change and storage lanes, on State System roadways in conjunction with the residential and commercial development of property.

We have been in need of such legislation for many years. The residential and commercial growth along our State System network of streets and highways has created both safety and operational problems, and it has been necessary to spend tax dollars to correct these deficiencies. With the passage of this legislation, we now have the authority to require these improvements to be funded by the developments that create the need for such improvements.

Contained within our 1986 *Policy on Street and Driveway Access to North Carolina Highways* are warrants regarding the designs of left and right-turn lanes and associated tapers. Let me caution you, however, we should require only the improvements that are clearly warranted and not be excessive in any requirements. If we do not uniformly administer the contents of this legislation and justifiable complaints alluding to excessive requirements are made to our legislators, the subject authority can be rescinded as easily as it has been granted.

If you or anyone on your staff has questions regarding the application of the subject matter, please advise.

JML/TAH:th
Att.
cc: Mr. George E. Wells, P.E., Att.
Mr. E. H. McEntire, P.E., Att.
Mr. W. G. Marley, P.E., Att.
Mr. Jack Murdock, Att.

An Equal Opportunity / Affirmative Action Employer