

**G.S. 150B-21.3A Report for 19A NCAC 02, DIVISION OF HIGHWAYS**

Agency - Department of Transportation

Comment Period - November 15, 2024 – January 21, 2025

Date Submitted to APO - September 26, 2025

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
SUBCHAPTER 2A - GENERAL ADMINISTRATION	SECTION .0100 - CHIEF ENGINEER	19A NCAC 02A .0102	DUTIES OF CHIEF ENGINEER	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
SUBCHAPTER 02B - HIGHWAY PLANNING	SECTION .0100 - RIGHT OF WAY	19A NCAC 02B .0114	NEGOTIATION WITH DEPARTMENT OF TRANSPORTATION EMPLOYEES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02B .0131	CONDITIONS PRECEDENT TO CONDEMNATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02B .0132	NOTICE TO OWNER OF INTENT TO CONDEMN	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02B .0133	NOTICE TO DISPLACEES TO VACATE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	Yes If yes, include the citation to the federal law	49 CFR 24.5	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02B .0138	DISPOSITION OF IMPROVEMENTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02B .0139	PUBLIC SALE OF IMPROVEMENTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02B .0141	DISPOSITION OF IMPROVEMENTS BY MOVING CONTRACT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02B .0142	REMOVAL OF GRAVES OR CEMETERIES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02B .0150	RAILROAD RIGHT OF WAY DEFINITIONS	Readopted Eff. June 1, 2019	Necessary	Yes If yes, include the citation to the federal law	23 CFR 646B Subpart B	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02B .0153	NEW AT-GRADE CROSSING	Readopted Eff. June 1, 2019	Necessary	Yes If yes, include the citation to the federal law	23 CFR 646B Subpart B	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02B .0154	RAILROAD SEPARATION STRUCTURES	Readopted Eff. June 1, 2019	Necessary	Yes If yes, include the citation to the federal law	23 CFR 646B Subpart B	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02B .0155	EXISTING AT-GRADE CROSSING	Readopted Eff. June 1, 2019	Necessary	Yes If yes, include the citation to the federal law	23 CFR 646B Subpart B	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02B .0156	PAVING OF ROADWAY SURFACE CROSSING RAILROAD TRACKS	Readopted Eff. June 1, 2019	Necessary	Yes If yes, include the citation to the federal law	23 CFR 646B Subpart B	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02B .0157	COST OF CHANGING ELEVATION OF RAILROAD FACILITIES	Readopted Eff. June 1, 2019	Necessary	Yes If yes, include the citation to the federal law	23 CFR 646B Subpart B	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02B .0158	CHANGING GRADE OF ROAD WHEN GRADE OF RR TRACKS IS CHANGED	Readopted Eff. June 1, 2019	Necessary	Yes If yes, include the citation to the federal law	23 CFR 646B Subpart B	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02B .0164	USE OF RIGHT OF WAY CONSULTANTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	Yes If yes, include the citation to the federal law	49 CFR 18.36 Procurement 23 CFR 710.201(H)	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02B .0165	ASBESTOS CONTRACTS WITH PRIVATE FIRMS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	Yes If yes, include the citation to the federal law	49 CFR 18.36 Procurement 23 CFR 710.201(H)	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0200 - TRAFFIC ENGINEERING	19A NCAC 02B .0212	PARKING SIGNS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

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Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
		19A NCAC 02B .0213	TRUCK ROUTE DESIGNATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02B .0216	STREET NAME SIGNS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02B .0229	SIGNAL EQUIPMENT (STATE MUNICIPAL SYSTEM)	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02B .0231	FIRE ZONE (STATION) SIGNALS (STATE MUNICIPAL SYSTEM)	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02B .0232	SCHOOL FLASHERS (STATE MUNICIPAL SYSTEM)	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02B .0233	UPGRADING EXISTING SIGNALS (STATE MUNICIPAL SYSTEM)	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02B .0242	NC ROUTE NUMBERS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02B .0243	RAILROAD GRADE CROSSING SIGNS, SIGNALS, AND GATES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	Yes If yes, include the citation to the federal law	23 USC 109(d) and 23 CFR 655.603	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	<b>SECTION .0300 - CHIEF ENGINEER - PROGRAMS</b>	19A NCAC 02B .0304	SECONDARY ROAD NUMBERS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02B .0305	SOURCE AND PURPOSE - POWELL BILL	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02B .0306	ESTABLISHING ELIGIBILITY - POWELL BILL	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02B .0309	SOURCE AND PURPOSE - PL (METROPOLITAN PLANNING) FUNDS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	Yes If yes, include the citation to the federal law	23 USC 104(d); 23 USC 134	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02B .0310	RECIPIENTS OF FUNDS - PL (METROPOLITAN PLANNING) FUNDS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	Yes If yes, include the citation to the federal law	23 USC 104(d); 23 USC 134	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02B .0311	ALLOCATION OF FUNDS - PL (METROPOLITAN PLANNING) FUNDS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	Yes If yes, include the citation to the federal law	23 USC 104(f); 23 USC 134	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02B .0312	MATCHING - PL (METROPOLITAN PLANNING) FUNDS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	Yes If yes, include the citation to the federal law	23 USC 104	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02B .0313	PROGRAMMING - PL (METROPOLITAN PLANNING) FUNDS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	Yes If yes, include the citation to the federal law	23 USC 104	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02B .0314	ADMINISTRATIVE AGREEMENT - PL (METROPOLITAN PLANNING) FUNDS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	Yes If yes, include the citation to the federal law	23 USC 104	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02B .0315	NEGOTIATION WITH MUNICIPALITIES AND MUNICIPAL AGREEMENTS	Readopted Eff. June 1, 2019	Necessary	Yes If yes, include the citation to the federal law	23 CFR 645 and 710	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02B .0317	IMPLEMENTATION OF ROADWAY CORRIDOR OFFICIAL MAPS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

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	<b>SECTION .0400 - RELOCATION ASSISTANCE PROCEDURES</b>	19A NCAC 02B .0432	RELOCATION ASSISTANCE	Readopted Eff. February 1, 2019	Necessary	Yes If yes, include the citation to the federal law	49 CFR 24 and 23 CFR Subpart C	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02B .0433	APPLICABILITY	Readopted Eff. February 1, 2019	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	<b>SECTION .0500 - UTILITY ENCROACHMENTS</b>	19A NCAC 02B .0501	DEFINITIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016	Necessary	Yes If yes, include the citation to the federal law	23 CFR 645.207	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02B .0502	PERMISSION REQUIRED FOR ENCROACHMENT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016	Necessary	Yes If yes, include the citation to the federal law	23 CFR 645.215	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02B .0503	APPLICATION FOR UTILITY ENCROACHMENTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016	Necessary	Yes If yes, include the citation to the federal law	23 CFR 645.213	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02B .0504	APPROVAL OF UTILITY ENCROACHMENT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02B .0506	RESPONSIBILITY FOR EXISTING UTILITIES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02B .0507	EXECUTION OF UTILITY AGREEMENT	Readopted Eff. February 1, 2019	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02B .0508	BOND MAY BE REQUIRED	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02B .0509	AGREEMENTS DURING CONSTRUCTION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02B .0510	VEGETATION IN ENCROACHMENT AGREEMENTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02B .0511	NOTICE REQUIRED BEFORE WORK BEGINS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02B .0512	NOTIFICATION REQUIRED UPON COMPLETION OF WORK	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02B .0513	FINAL INSPECTION: FINAL REPORTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02B .0515	RELOCATION OF UTILITIES ENCOUNTERED IN HIGHWAY IMPROVEMENTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	<b>SECTION .0600 - DRIVEWAY ENTRANCES</b>	19A NCAC 02B .0601	DRIVEWAYS IN HIGHWAY RIGHT OF WAY - GENERAL	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02B .0602	OBTAINING A DRIVEWAY CONSTRUCTION PERMIT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02B .0603	DRIVEWAY PERMITS FOR SPECIAL COMMERCIAL PROPERTY	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02B .0604	APPROVAL OF APPLICATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

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		19A NCAC 02B .0605	APPLICATION REVIEW PERIOD	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
<b>SUBCHAPTER 02C - SECONDARY ROADS SECTION</b>	<b>SECTION .0100 - SECONDARY ROADS SECTION</b>	19A NCAC 02C .0101	GENERAL DEFINITIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02C .0102	MINIMUM STANDARDS FOR SECONDARY ROADS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02C .0103	ADDITION OF ROADS TO THE SECONDARY ROAD SYSTEM	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02C .0104	IMPROVEMENT OF ROADS ADDED TO THE HIGHWAY SYSTEM	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02C .0105	PROPERTY OWNER PARTICIPATION PAVING	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02C .0106	PRIORITY RATINGS FOR PAVING SECONDARY ROADS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02C .0108	ACQUISITION OF RIGHT OF WAY FOR SECONDARY ROADS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02C .0109	RIVER ROAD OR MOUNTAIN DEVELOPMENTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02C .0110	IMPROVEMENTS FOR INDUSTRIAL MANUFACTURING PROJECTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02C .0111	COUNTY LANDFILL ROADS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02C .0114	SCHOOL BUS DRIVES AND SCHOOL BUS PARKING AREAS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02C .0115	RURAL VOLUNTEER FIRE AND RESCUE SQUAD FACILITIES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02C .0116	REIMBURSEMENT OF SCHOOLS FOR TRANSPORTATION IMPROVEMENTS COMPLETED ON THE STATE HIGHWAY SYSTEM	Temporary Adoption Eff. February 23, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	<b>SECTION .0200 - MINIMUM DESIGN AND CONSTRUCTION CRITERIA FOR SUBDIVISION PROJECTS</b>	19A NCAC 02C .0201	DEFINITIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02C .0202	APPLICATION REQUIREMENTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02C .0203	REQUIREMENTS/ADDITION OF SUBDIVISION ROADS TO THE SYSTEM	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

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Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
		19A NCAC 02C .0204	UTILITY REQUIREMENTS FOR SUBDIVISION ROADS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02C .0205	DRAINAGE REQUIREMENTS FOR SUBDIVISION ROADS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02C .0212	ISLANDS OR SHORT MEDIANS AT SUBDIVISION ENTRANCES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02C .0213	SUBDIVISION NAME MARKERS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
SUBCHAPTER 2D - HIGHWAY OPERATIONS	SECTION .0100 - STANDARDS FOR DESIGN AND CONSTRUCTION	19A NCAC 02D .0102	MINIMUM SIZE OF SURFACE DRAINAGE PIPELINE	Readopted Eff. February 1, 2019	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0104	GUIDELINES - CURB RAMPS	Readopted Eff. February 1, 2019	Necessary	Yes If yes, include the citation to the federal law	28 CFR 35.151 New Construction and Alteration: (i) Curb Ramps	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0200 - LANDSCAPE	19A NCAC 02D .0201	COOPERATION WITH PROPERTY OWNERS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0202	CONDITIONAL COOPERATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0203	PLANTING PLANS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0400 - FIELD OPERATIONS - MAINTENANCE AND EQUIPMENT	19A NCAC 02D .0402	CURB AND GUTTER AND UNDERGROUND DRAINAGE ON HIGHWAYS	Readopted Eff. June 1, 2019	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0403	USE OF DUST ALLAYING MATERIALS	Readopted Eff. June 1, 2019	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0404	MAINTENANCE WITHIN MUNICIPALITIES	Readopted Eff. July 1, 2019	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0406	CONSTRUCTION AND MAINTENANCE OF SIDEWALKS	Readopted Eff. July 1, 2019	Necessary	Yes If yes, include the citation to the federal law	23 CFR 133 and 217	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0408	TEMPORARY BRIDGE WEIGHT LIMITS AND CLOSINGS	Readopted Eff. March 1, 2019	Necessary	Yes If yes, include the citation to the federal law	23 CFR Subpart C-national bridge inspection standards 650.301	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0410	RENTAL OF SUPPLEMENTAL EQUIPMENT	Readopted Eff. June 1, 2019	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0414	LOCATION OF GARBAGE COLLECTION CONTAINERS	Readopted Eff. June 1, 2019	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0421	INSTALLATION OF DRIVEWAY PIPE	Readopted Eff. June 1, 2019	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0423	PLANTING ON CONTROLLED-ACCESS FACILITIES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0424	PLANTING ON OTHER FACILITIES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0500 - FERRY OPERATIONS	19A NCAC 02D .0501	GENERAL	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0502	TICKET CONDITIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

**G.S. 150B-21.3A Report for 19A NCAC 02, DIVISION OF HIGHWAYS**

Agency - Department of Transportation

Comment Period - November 15, 2024 – January 21, 2025

Date Submitted to APO - September 26, 2025

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
		19A NCAC 02D .0503	CARRIER	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0504	HAND BAGGAGE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	Yes If yes, include the citation to the federal law	33 CFR 105.285	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0505	NOTICE OF CANCELLATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0506	COMPLETION OF VOYAGE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0507	SUBSTITUTE VESSELS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0508	DEFINITION OF LANDING	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	Yes If yes, include the citation to the federal law	33 CFR 105.205	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0509	RESPONSIBILITY OF VESSEL MASTER	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	Yes If yes, include the citation to the federal law	49 CFR 109.109	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0510	MEDICAL CARE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	Yes If yes, include the citation to the federal law	46 CFR Volume 1 4.05-1	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0511	LIABILITY LIMITATIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0512	PERSONAL PROPERTY	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	Yes If yes, include the citation to the federal law	33 CFR 105.285	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0513	THEFT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0514	BAGGAGE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	Yes If yes, include the citation to the federal law	33 CFR 105.285	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0515	LOSS CLAIMS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0516	INSURANCE BENEFIT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0517	RIGHT TO REFUSE TRANSPORT; PERSONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	Yes If yes, include the citation to the federal law	33 CFR 105.255-F.5	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0518	COMPLIANCE WITH RULES AND REGULATIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	Yes If yes, include the citation to the federal law	33 CFR 101, 104, 105	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0519	RIGHT TO REFUSE TRANSPORT; CARGO	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	Yes If yes, include the citation to the federal law	33 CFR 295	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0520	BRAKES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0521	OPERATION OF VEHICLE BY CARRIER EMPLOYEES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

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		19A NCAC 02D .0522	INOPERATIVE VEHICLES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0523	LIVESTOCK	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0524	DOGS, AND OTHER HOUSEHOLD PETS AND WILD ANIMALS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0525	NO LIABILITY ASSUMED BY CARRIER	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0526	BABY CARRIAGES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0527	CORPSES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0528	EXCESS HAND BAGGAGE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	Yes If yes, include the citation to the federal law	33 CFR 104.268.f-2, 105.255.f-2	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0529	BAGGAGE IN VEHICLES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	Yes If yes, include the citation to the federal law	33 CFR 105.f-2	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0530	RIGHT TO REFUSE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	Yes If yes, include the citation to the federal law	33 CFR 104.255.f-2	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0533	TICKET LIMITS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	Yes If yes, include the citation to the federal law	CG-815 (REV 4-20000Xv2)	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0534	REDEMPTION OF TICKETS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0535	FERRY RESERVATIONS	Readopted Eff. June 1, 2019	Necessary	Yes If yes, include the citation to the federal law	46 CFR Volume 1 and 46 CFR 15.705	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0536	MAIL TRUCKS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	Yes If yes, include the citation to the federal law	46 CFR Volume 7 and 46 CFR 170.105	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0537	FERRY SCHEDULES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0538	VEHICLE WEIGHT LIMITATIONS	Readopted Eff. June 1, 2019	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0539	VEHICLE PHYSICAL DIMENSION LIMITATIONS	Readopted Eff. June 1, 2019	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	<b>SECTION .0600 – OVERSIZE-OVERWEIGHT PERMITS</b>	19A NCAC 02D .0601	PERMIT APPLICATION AND ADMINISTRATION	Amended Eff. July 1, 2019	Necessary	Yes If yes, include the citation to the federal law	23 CFR 658	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0602	PERMITS – ISSUANCE REQUIREMENTS	Readopted Eff. July 1, 2019	Necessary	Yes If yes, include the citation to the federal law	23 CFR 658	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0607	PERMITS – MOVEMENT AND TRAVEL REQUIREMENTS	Readopted Eff. July 1, 2019	Necessary	Yes If yes, include the citation to the federal law	23 CFR 658	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0633	PERMITS – DECISIONS, APPEALS, AND ENFORCEMENT	Readopted Eff. July 1, 2019	Necessary	Yes If yes, include the citation to the federal law	23 CFR 658	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

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		19A NCAC 02D .0643	ESCORT VEHICLE DRIVER CERTIFICATION	Readopted Eff. July 1, 2019	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0644	OVERSIZE/OVERWEIGHT LOAD ESCORT VEHICLE OPERATOR CERTIFICATION PROGRAM	Readopted Eff. July 1, 2019	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	<b>SECTION .0700 - HIGHWAY DESIGN BRANCH</b>	19A NCAC 02D .0702	HIGHWAY SYSTEM LIMITATIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0704	APPLICATION PROCEDURES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0705	REVIEW PROCEDURES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0707	PERMIT FORM	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0708	WARNING SIGNS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0709	APPEAL PROCEDURES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	<b>SECTION .0800 - PREQUALIFICATION, ADVERTISING AND BIDDING REGULATIONS</b>	19A NCAC 02D .0801	PREQUALIFYING TO BID: REQUALIFICATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016	Necessary	Yes If yes, include the citation to the federal law	23 CFR 635.110	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0803	ADVERTISEMENT AND INVITATIONS FOR BIDS	Amended Eff. September 1, 2022	Necessary	Yes If yes, include the citation to the federal law	23 CFR 635.112	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0805	COMBINATION BIDS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016	Necessary	Yes If yes, include the citation to the federal law	23 CFR 635.111	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0806	INTERPRETATION OF QUANTITIES IN PROPOSAL FORM	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0807	EXAMINATION OF PLANS: SPECS: CONTRACT: AND SITE OF WORK	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0810	DELIVERY OF BIDS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016	Necessary	Yes If yes, include the citation to the federal law	23 CFR 635.113	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0812	RECEIPT AND OPENING OF BIDS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016	Necessary	Yes If yes, include the citation to the federal law	23 CFR 635.113	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0818	NON-COLLUSION CERTIFICATIONS	Amended Eff. July 1, 2017	Necessary	Yes If yes, include the citation to the federal law	23 CFR 635.112(f)	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0820	CANCELLATION OF AWARD	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0825	CONFIDENTIALITY OF COST ESTIMATES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .0827	SUBSURFACE INFORMATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

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Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
		19A NCAC 02D .0830	DEFINITIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	<b>SECTION .1000 - ADOPT-A-HIGHWAY PROGRAM</b>	19A NCAC 02D .1001	PURPOSE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .1002	DEFINITIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .1003	PARTICIPATION IN THE PROGRAM	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .1004	AGREEMENT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .1005	RESPONSIBILITIES OF PROGRAM PARTICIPANTS AND DEPARTMENT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .1006	GENERAL LIMITING CONDITIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .1007	MODIFICATION/RENEWAL/TERMINATION OF THE AGREEMENT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	<b>SECTION .1100 - DISADVANTAGED BUSINESS ENTERPRISE, MINORITY BUSINESS ENTERPRISE AND WOMEN BUSINESS ENTERPRISE PROGRAMS FOR HIGHWAY AND BRIDGE CONSTRUCTION</b>	19A NCAC 02D .1101	PURPOSE AND SCOPE	Readopted Eff. April 1, 2019	Necessary	Yes If yes, include the citation to the federal law	49 CFR Part 26	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .1102	DEFINITIONS	Readopted Eff. April 1, 2019	Necessary	Yes If yes, include the citation to the federal law	49 CFR Part 26	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .1103	CERTIFICATION OF FIRMS	Readopted Eff. April 1, 2019	Necessary	Yes If yes, include the citation to the federal law	49 CFR Part 26	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .1104	RENEWAL OF CERTIFICATION	Readopted Eff. April 1, 2019	Necessary	Yes If yes, include the citation to the federal law	49 CFR Part 26	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .1105	CHANGE IN OWNERSHIP OR CONTROL	Readopted Eff. April 1, 2019	Necessary	Yes If yes, include the citation to the federal law	49 CFR Part 26	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .1106	DECERTIFICATION	Readopted Eff. April 1, 2019	Necessary	Yes If yes, include the citation to the federal law	49 CFR Part 26	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .1107	APPEALS OF DENIAL OF CERTIFICATION	Readopted Eff. April 1, 2019	Necessary	Yes If yes, include the citation to the federal law	49 CFR Part 26	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .1108	GOALS	Readopted Eff. April 1, 2019	Necessary	Yes If yes, include the citation to the federal law	49 CFR Part 26	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .1109	COUNTING PARTICIPATION TOWARD MEETING THE GOAL	Readopted Eff. April 1, 2019	Necessary	Yes If yes, include the citation to the federal law	49 CFR Part 26	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

**G.S. 150B-21.3A Report for 19A NCAC 02, DIVISION OF HIGHWAYS**

Agency - Department of Transportation

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Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
		19A NCAC 02D .1110	GOOD FAITH REQUIREMENTS FOR ESTABLISHED GOALS	Readopted Eff. April 1, 2019	Necessary	Yes If yes, include the citation to the federal law	49 CFR Part 26	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .1111	REPLACEMENT OF CERTIFIED FIRMS	Readopted Eff. April 1, 2019	Necessary	Yes If yes, include the citation to the federal law	49 CFR Part 26	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02D .1112	REPLACEMENT OF A FIRM REMOVED BY DECERTIFICATION	Readopted Eff. April 1, 2019	Necessary	Yes If yes, include the citation to the federal law	49 CFR Part 26	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
<b>SUBCHAPTER 02E - MISCELLANEOUS OPERATIONS</b>	<b>SECTION .0100 - TORT CLAIMS</b>	19A NCAC 02E .0101	CLAIMS INVOLVING THE DIVISION OF HIGHWAYS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0102	ACCIDENTS INVOLVING STATE-OWNED VEHICLES OR EQUIPMENT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	<b>SECTION .0200 - OUTDOOR ADVERTISING</b>	19A NCAC 02E .0201	DEFINITIONS FOR OUTDOOR ADVERTISING CONTROL	Readopted Eff. January 1, 2021	Necessary	Yes If yes, include the citation to the federal law	23 CFR Subpart G-750	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0202	AGREEMENT	Readopted Eff. January 1, 2021	Necessary	Yes If yes, include the citation to the federal law	23 CFR Subpart G-750	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0203	OUTDOOR ADVERTISING ON CONTROLLED ROUTES	Readopted Eff. January 1, 2021	Necessary	Yes If yes, include the citation to the federal law	23 CFR Subpart G-750	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0204	LOCAL ZONING AUTHORITIES	Amended Eff. December 1, 2012	Necessary	Yes If yes, include the citation to the federal law	23 CFR Subpart G-750	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0206	APPLICATIONS	Amended Eff. August 1, 2000	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0207	FEES AND RENEWALS	Readopted Eff. January 1, 2021	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0208	PERMIT AND PERMIT EMBLEM	Readopted Eff. January 1, 2021	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0209	TRANSFER OF PERMIT/CHANGE OF ADDRESS	Readopted Eff. January 1, 2021	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0210	REVOCAION OF OUTDOOR ADVERTISING PERMIT	Readopted Eff. January 1, 2021	Necessary	Yes If yes, include the citation to the federal law	23 CFR Subpart G-750	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0212	NOTICE GIVEN FOR REVOKING PERMIT	Readopted Eff. January 1, 2021	Necessary	Yes If yes, include the citation to the federal law	23 CFR Subpart G-750	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0213	APPEAL OF DECISION OF DISTRICT ENGINEER'S OFFICE TO SEC. OF TRANS.	Readopted Eff. January 1, 2021	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0214	STANDARDS FOR DIRECTIONAL SIGNS	Readopted Eff. January 1, 2021	Necessary	Yes If yes, include the citation to the federal law	23 CFR Subpart B-750	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0215	PERMITS FOR DIRECTIONAL SIGNS	Readopted Eff. January 1, 2021	Necessary	Yes If yes, include the citation to the federal law	23 CFR Subpart B-750	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0216	SPECIFIC SERVICE SIGNING (LOGO) PROGRAM	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016	Necessary	Yes If yes, include the citation to the federal law	23 USC 109(d) and 23 CFR Part 655.603	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0221	LOGO PROGRAM FEES	Readopted Eff. August 1, 2019	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0224	SCENIC BYWAYS	Readopted Eff. January 1, 2021	Necessary	Yes If yes, include the citation to the federal law	23 CFR 162	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0225	REPAIR/MAINTENANCE/ALTERATION OF SIGNS	Amended Eff. August 1, 2000	Necessary	Yes If yes, include the citation to the federal law	23 CFR Subpart G-750	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

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	<b>SECTION .0300 - JUNKYARD CONTROL</b>	19A NCAC 02E .0301	UNZONED INDUSTRIAL AREA	Readopted Eff. June 1, 2019	Necessary	Yes If yes, include the citation to the federal law	23 CFR 136	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0303	FEES	Readopted Eff. June 1, 2019	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	<b>SECTION .0400 - GENERAL ORDINANCES</b>	19A NCAC 02E .0402	PILING OBSTRUCTIONS ON HIGHWAYS OR WITHIN RIGHT-OF-WAY	Readopted Eff. July 1, 2019	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0403	DEPOSITING MUD ON STATE HIGHWAYS	Readopted Eff. July 1, 2019	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0404	HIGHWAY OBSTRUCTIONS INTERFERING WITH TRAFFIC/MAINTENANCE	Readopted Eff. July 1, 2019	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0405	DAMAGE TO STATE HIGHWAY SYSTEM SURFACE OR SHOULDER	Readopted Eff. July 1, 2019	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0407	CONTROL AND REGULATION OF ROADSIDE PARKS AND REST AREAS	Readopted Eff. July 1, 2019	Necessary	Yes If yes, include the citation to the federal law	23 CFR Part 1.23(b), 752.5; and Part 752.7	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0408	FISHING FROM BRIDGES	Readopted Eff. July 1, 2019	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0409	OPERATING NONMOTORIZED VEHICLES	Readopted Eff. July 1, 2019	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0410	HITCHHIKING ON INTERSTATE OR CONTROLLED ACCESS HIGHWAYS	Readopted Eff. July 1, 2019	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0412	AIRCRAFT LANDING AND TAKING OFF ON HIGHWAYS	Readopted Eff. March 1, 2019	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0413	PARADES ON HIGHWAY SYSTEM ROADS	Readopted Eff. February 1, 2019	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0414	PARKING VEHICLE FOR SALE OR DISTRIBUTION OF GOODS	Readopted Eff. February 1, 2019	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0415	ADVERTISING SIGNS WITHIN RIGHT-OF-WAY	Readopted Eff. February 1, 2019	Necessary	Yes If yes, include the citation to the federal law	23 Subpart G-750	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0416	PRIVATE DRIVES OR ROADS INTERSECTING HIGHWAYS	Readopted Eff. February 1, 2019	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0417	COMMERCIAL ENTRANCES INTERSECTING WITH RIGHT-OF-WAY	Readopted Eff. February 1, 2019	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0418	FENCING WITHIN RIGHT-OF-WAY	Readopted Eff. March 1, 2019	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0419	CULTIVATING CROPS AND MAINTAINING PASTURES WITHIN RIGHT-OF-WAY	Readopted Eff. March 1, 2019	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0420	CONSTRUCTION WITHIN RIGHT-OF-WAY	Readopted Eff. March 1, 2019	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0421	UTILITY WIRES OR CABLES OVER HIGHWAYS	Readopted Eff. March 1, 2019	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0422	USE OF RUNAWAY TRUCK RAMPS	Readopted Eff. February 1, 2019	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0423	REGULATION OF AIRPORT CONSTRUCTION	Readopted Eff. July 1, 2019	Necessary	Yes If yes, include the citation to the federal law	14 CFR Chapter 1 Part 77 Subpart C	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0426	ACCESS ROUTES FOR STAA DIMENSIONED VEHICLES	Readopted Eff. July 1, 2019	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0427	MULTI-USE PATHS	Readopted Eff. July 1, 2019	Necessary	Yes If yes, include the citation to the federal law	23 USC 217(g)(1)	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	<b>SECTION .0600 - SELECTIVE VEGETATION REMOVAL POLICY</b>	19A NCAC 02E .0601	SELECTIVE VEGETATION REMOVAL PERMIT REQUIRED TO REMOVE VEGETATION FROM STATE HIGHWAY RIGHT-OF-WAY	Readopted Eff. June 1, 2020	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

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		19A NCAC 02E .0602	REQUESTS FOR SELECTIVE VEGETATION REMOVAL PERMITS FOR A FACILITY	Readopted Eff. June 1, 2020	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0603	ISSUANCE OR DENIAL OF SELECTIVE VEGETATION REMOVAL PERMIT FOR A FACILITY	Readopted Eff. June 1, 2020	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0604	CONDITIONS OF SELECTIVE VEGETATION REMOVAL PERMIT FOR FACILITIES	Readopted Eff. June 1, 2020	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0608	REQUESTS FOR SELECTIVE VEGETATION REMOVAL PERMITS FOR OUTDOOR ADVERTISING	Readopted Eff. June 1, 2020	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0609	ISSUANCE OR DENIAL OF SELECTIVE VEGETATION REMOVAL PERMIT FOR OUTDOOR ADVERTISING	Readopted Eff. June 1, 2020	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0610	CONDITIONS OF SELECTIVE VEGETATION REMOVAL PERMITS FOR OUTDOOR ADVERTISING	Readopted Eff. June 1, 2020	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0611	BEAUTIFICATION AND REPLANTING REQUIREMENTS FOR SELECTIVE VEGETATION REMOVAL PERMITS	Readopted Eff. June 1, 2020	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0612	MODIFIED VEGETATION CUT OR REMOVAL ZONE FOR OUTDOOR ADVERTISING	Eff. January 1, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	<b>SECTION .0700 - PROFESSIONAL OR SPECIALIZED SERVICES</b>	19A NCAC 02E .0701	EMPLOYMENT OF PROFESSIONAL/SPECIALIZED FIRM: AUTHORIZATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016	Necessary	Yes If yes, include the citation to the federal law	23 CFR 172	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0702	SOLICITATION AND AWARD OF CONTRACT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016	Necessary	Yes If yes, include the citation to the federal law	23 CFR 172	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0703	PREQUALIFYING TO AWARD – PROFESSIONAL SERVICES FIRMS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016	Necessary	Yes If yes, include the citation to the federal law	23 CFR 172	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	<b>SECTION .0800 - SOLICITATION OF CONTRIBUTIONS FOR RELIGIOUS PURPOSES AT REST AREAS</b>	19A NCAC 02E .0801	PERMIT TO SOLICIT CONTRIBUTIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0802	PERMITS REQUIRED	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0803	SOLICITATION RESTRICTIONS AND REQUIREMENTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0804	REVOCAION OF PERMIT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	<b>SECTION .0900 - DISTRIBUTION OF NEWSPAPERS FROM DISPENSERS AT REST AREAS AND WELCOME CENTERS</b>	19A NCAC 02E .0901	NEWSPAPER DISTRIBUTION POLICY	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0902	PERMITS REQUIRED	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

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		19A NCAC 02E .0903	INDEMNIFICATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0904	LOCATION, INSTALLATION AND MAINTENANCE/NEWSPAPER DISPENSERS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0905	CONDITIONS, NOTICE OF VIOLATIONS AND APPEALS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .0906	COMPLIANCE WITH DIV OF SERVICES FOR THE BLIND REQUIREMENTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	Yes If yes, include the citation to the federal law	20 USC 107a(1)(5) Section 2(a)(5) Randolph-Sheppard Act	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	<b>SECTION .1000 - SCENIC BYWAYS</b>	19A NCAC 02E .1001	DEFINITIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .1002	PURPOSE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .1003	ADMINISTRATION OF PROGRAM	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .1004	DESIGNATION CRITERIA	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .1005	DESIGNATION PROCESS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .1006	APPLICATION FOR DESIGNATION	Readopted Eff. March 1, 2019	Necessary	Yes If yes, include the citation to the federal law	23 USC 131(s)	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .1007	REMOVAL PROCESS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .1008	REMOVAL APPLICATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .1009	BOARD OF TRANSPORTATION EVALUATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	<b>SECTION .1100 – TOURIST-ORIENTED DIRECTIONAL SIGN PROGRAM</b>	19A NCAC 02E .1101	TOURIST-ORIENTED DIRECTIONAL SIGN (TODS) PROGRAM	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	Yes If yes, include the citation to the federal law	23 USC 109(d) and 23 CFR Part 655.603	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .1103	LOCATION OF TODS	Readopted Eff. August 1, 2019	Necessary	Yes If yes, include the citation to the federal law	23 USC 109(d) and 23 CFR Part 655.603	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .1105	COMPOSITION OF SIGNS	Readopted Eff. August 1, 2019	Necessary	Yes If yes, include the citation to the federal law	23 USC 109(d) and 23 CFR Part 655.603	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .1106	TODS PROGRAM FEES	Readopted Eff. August 1, 2019	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	<b>SECTION .1200 – PRIVATE PROPERTY OWNERS</b>	19A NCAC 02E .1201	PURPOSE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .1202	DEFINITIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

**G.S. 150B-21.3A Report for 19A NCAC 02, DIVISION OF HIGHWAYS**

Agency - Department of Transportation

Comment Period - November 15, 2024 – January 21, 2025

Date Submitted to APO - September 26, 2025

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
		19A NCAC 02E .1203	PARTICIPATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .1204	RESPONSIBILITIES OF PARTICIPANTS AND DEPARTMENT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02E .1205	TERMINATION OF THE AGREEMENT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
<b>SUBCHAPTER 02F - DEPARTMENT OF TRANSPORTATION'S MINIMUM CRITERIA</b>	<b>SECTION .0100 - MINIMUM CRITERIA</b>	19A NCAC 02F .0101	PURPOSE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02F .0102	MINIMUM CRITERIA	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		19A NCAC 02F .0103	EXCEPTIONS TO MINIMUM CRITERIA	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt