

## CHAPTER 01 - DEPARTMENTAL RULES

### SUBCHAPTER 01A - ORGANIZATION OF THE DEPARTMENT

#### SECTION .0100 - IDENTIFYING INFORMATION AND FUNCTIONS

##### **19A NCAC 01A .0101 IDENTIFYING INFORMATION**

The principal offices of the Department of Transportation are located at:

Highway Building  
1 South Wilmington Street  
P.O. Box 25201  
Raleigh, North Carolina 27611

*History Note:* Authority G.S. 136-15; 136-44.1; 143B-10(b); 143B-345;  
Eff. July 1, 1978;  
Amended Eff. November 1, 1993;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 24, 2015.

##### **19A NCAC 01A .0102 DEPARTMENTAL FUNCTIONS**

##### **19A NCAC 01A .0103 STRUCTURE OF THE DEPARTMENT**

*History Note:* Authority G.S. 20-1; 113-28.5; 136-4; 136-44.1; 143B-10(b), (j); 143B-11; 143B-346; 147-12(7); S.L. 1844, Ch. 82; S.L. 1852, Ch. 136;  
Eff. July 1, 1978;  
Repealed Eff. November 1, 1993.

##### **19A NCAC 01A .0104 RULEMAKING AUTHORITY DEFINED**

Throughout this Title, "rulemaking authority" shall mean the person, board or commission empowered by statute or delegation of statutory authority to adopt and promulgate rules in the specific subject area in question.

Note: For the rulemaking authority vested in the Board, Department or Secretary of Transportation, see G.S. 136-18(5); 143B-10(a), (j); 143B-346; 143B-348; 143B-350(f), (g).

*History Note:* Authority G.S. 143B-10(j);  
Eff. July 1, 1978;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 24, 2015.

#### SECTION .0200 - SECRETARY OF TRANSPORTATION

##### **19A NCAC 01A .0201 IDENTIFYING INFORMATION**

The office of the Secretary of Transportation is located at:

Highway Building  
1 South Wilmington Street  
P.O. Box 25201  
Raleigh, North Carolina 27611

*History Note:* Authority G.S. 143B-9; 143B-348;  
Eff. July 1, 1978;  
Amended Eff. November 1, 1993;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 24, 2015.

##### **19A NCAC 01A .0202 FUNCTIONS OF SECRETARY AS HEAD OF A PRINCIPAL STATE DEPT**

##### **19A NCAC 01A .0203 FUNCTIONS AS SECRETARY OF TRANSPORTATION**

*History Note:* Authority G.S. 20-2; 20-3; 20-183.16; 113A-54(a); 136-4; 136-20; 136-28.1(b) to (d); 143-392; 143B-10; 143B-14; 143B-348; 143B-350(b), (c), (g); 143B-360;  
Eff. July 1, 1978;  
Repealed Eff. November 1, 1993.

**19A NCAC 01A .0204 PUBLIC AFFAIRS SECTION**  
**19A NCAC 01A .0205 PERSONNEL**  
**19A NCAC 01A .0206 CIVIL RIGHTS COORDINATOR**

*History Note:* Authority G.S. 126-16; 143B-10; 143B-348;  
Eff. July 1, 1978;  
Repealed Eff. November 1, 1991.

**SECTION .0300 - BOARD OF TRANSPORTATION**

**19A NCAC 01A .0301 IDENTIFYING INFORMATION**

The office of the Board of Transportation is located at:

Highway Building  
1 South Wilmington Street  
P.O. Box 25201  
Raleigh, North Carolina 27611

Note: The exact composition of the Board of Transportation is given in G.S. 143B-350(b) to (d).

*History Note:* Authority G.S. 143B-350;  
Eff. July 1, 1978;  
Amended Eff. November 1, 1993;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 24, 2015.

**19A NCAC 01A .0302 FUNCTIONS: POWERS AND DUTIES: GENERAL**  
**19A NCAC 01A .0303 SPECIFIC FUNCTIONS: POWERS AND DUTIES**

*History Note:* Authority G.S. 136-18(8), (16); 136-19.4(a), (d); 136-28.1(a); 136-44.1; 136-44.3; 136-44.4; 136-44.7; 136-44.8; 136-44.10; 136-54; 136-49; 136-60; 136-62; 136-63; 136-102.6; 143B-350(a); 143B-350(f);  
Eff. July 1, 1978;  
Repealed Eff. November 1, 1993.

**SECTION .0400 - DIVISION OF HIGHWAYS**

**19A NCAC 01A .0401 IDENTIFYING INFORMATION**

The principal offices of the Division of Highways are located at:

Highway Building  
1 South. Wilmington Street  
P.O. Box 25201  
Raleigh, North Carolina 27611

*History Note:* Authority G.S. 136-141.1; 136-15; 143B-10(b), (j)  
Eff. July 1, 1978;  
Amended Eff. November 1, 1993;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 24, 2015.

**19A NCAC 01A .0402 FUNCTIONS**  
**19A NCAC 01A .0403 STATE HIGHWAY ADMINISTRATOR**

*History Note:* Authority G.S. 136-4; 136-18; 143B-10; 143B-10(a), (b); 143B-350(g);  
Eff. July 1, 1978;  
Repealed Eff. November 1, 1993.

**19A NCAC 01A .0404 DUTIES AND RESPONSIBILITIES: STATE HIGHWAY ADMINISTRATOR**

*History Note:* Authority G.S. 20-119; 133-5; 136-18.3; 136-18(5); 136-18(11); 136-19; 136-28.1; 136-29; 136-30;  
136-44.1; 136-64.1(d); 136-71.9; 136-71.10; 136-89.51; 136-89.59; 136-93; 143B-10(j); 143B-350(f),  
(g);  
Eff. July 1, 1978;  
Amended Eff. January 1, 1986; October 1, 1983;  
Repealed Eff. November 1, 1991.

**19A NCAC 01A .0405 SECONDARY ROADS SECTION**

*History Note:* Authority G.S. 143B-10(b); 143B-348; 143B-350(g);  
Eff. July 1, 1978;  
Repealed Eff. December 29, 1993.

**19A NCAC 01A .0406 HIGHWAY PLANNING SECTION**

**19A NCAC 01A .0407 PROJECT MANAGEMENT AND PRODUCTIVITY CONTROL SECTION**

**19A NCAC 01A .0408 OPERATIONS SECTION**

*History Note:* Authority G.S. 136-12; 136-14.1; 136-15; 136-17.2; 136-18; 136-19; 136-28.6; 136-44.2; 136-44.2B;  
136-44.4; 136-44.11; 136-44.50; 136-66.1; 136-66.3; 136-66.5; 136-82; 136-89; 136-184;  
143B-10(b),(g),(j); 143B-348; 143B-350;  
Eff. July 1, 1978;  
Amended Eff. November 1, 1985;  
Repealed Eff. November 1, 1991.

**SECTION .0500 - ASSISTANT SECRETARY FOR MANAGEMENT**

**19A NCAC 01A .0501 IDENTIFYING INFORMATION**

**19A NCAC 01A .0502 FUNCTIONS**

**19A NCAC 01A .0503 TRANSPORTATION COMPUTING CENTER SECTION**

**19A NCAC 01A .0504 FISCAL**

**19A NCAC 01A .0505 PURCHASING**

**19A NCAC 01A .0506 INTERNAL AUDIT**

**19A NCAC 01A .0507 OCCUPATIONAL SAFETY AND EMERGENCY PLANNING**

**19A NCAC 01A .0508 MANAGEMENT ENGINEERING**

*History Note:* Authority G.S. 20-3; 20-26; 20-27; 20-43; 95-126(b)(2)1; 95-127(10); 95-148; 136-10; 143-49;  
143-51; 143-157; 143B-10(b); 143B-348;  
Eff. July 1, 1978;  
Amended Eff. July 1, 1982; July 1, 1981;  
Repealed Eff. November 1, 1991.

**SECTION .0600 - ASSISTANT SECRETARY FOR PLANNING**

**19A NCAC 01A .0601 IDENTIFYING INFORMATION**

**19A NCAC 01A .0602 FUNCTIONS**

**19A NCAC 01A .0603 TRANSPORTATION SYSTEMS PLANNING SECTION**

**19A NCAC 01A .0604 BICYCLE AND BIKEWAY SECTION**

**19A NCAC 01A .0605 PUBLIC TRANSPORTATION DIVISION**

**19A NCAC 01A .0606 IDENTIFYING INFORMATION: DIVISION OF AERONAUTICS**

**19A NCAC 01A .0607 FUNCTIONS: DIVISION OF AERONAUTICS**

**19A NCAC 01A .0608 AIRPORT DEVELOPMENT SECTION**  
**19A NCAC 01A .0609 AIR TRANSPORTATION DEVELOPMENT SECTION**  
**19A NCAC 01A .0610 AIR SAFETY SECTION**  
**19A NCAC 01A .0611 AERONAUTICS COUNCIL**

*History Note: Authority G.S. 113-28.5; 113-28.6; 113-28.12; 136-44.20; 143B-10(a),(b); 143B-350(f),(g); 143B-355; 143B-356;*  
*Eff. July 1, 1978;*  
*Repealed Eff. November 1, 1991.*

#### **SECTION .0700 - DIVISION OF MOTOR VEHICLES**

**19A NCAC 01A .0701 IDENTIFYING INFORMATION**  
**19A NCAC 01A .0702 FUNCTIONS**  
**19A NCAC 01A .0703 STRUCTURE OF THE DIVISION**  
**19A NCAC 01A .0704 COMMISSIONER**  
**19A NCAC 01A .0705 DRIVER LICENSE SECTION**  
**19A NCAC 01A .0706 VEHICLE REGISTRATION SECTION**  
**19A NCAC 01A .0707 ENFORCEMENT SECTION**  
**19A NCAC 01A .0708 INTERNATIONAL REGISTRATION PLAN (IRP) SECTION**  
**19A NCAC 01A .0709 COLLISION REPORTS/GENERAL SERVICES SECTION**  
**19A NCAC 01A .0710 SCHOOL BUS AND TRAFFIC SAFETY SECTION**  
**19A NCAC 01A .0711 GOVERNOR'S HIGHWAY SAFETY PROGRAM**

*History Note: Authority G.S. 15A-401; 15-402; 20-1; 20-2; 20-3; 20-4.3; 20-7; 20-39; 20-40; 20-43; 20-49; 20-50; 20-63(h); 20-77; 20-84.2; 20-86.1; 20-87 to 20-93; 20-102; 20-104; 20-110; 20-111; 20-114; 20-118.1; 20-177; 20-183.2; 20-183.4; 20-183.5; 20-183.9; 20-218; 20-279.3; 20-279.4; 20-285; 20-315; 20-316; 20-321; 44A-4; 143B-360; 147-12(10);*  
*Eff. July 1, 1978;*  
*Amended Eff. November 1, 1991; April 22, 1981;*  
*Repealed Eff. December 1, 1993.*

#### **SECTION .0800 - NORTH CAROLINA TRAFFIC SAFETY AUTHORITY**

**19A NCAC 01A .0801 IDENTIFYING INFORMATION**  
**19A NCAC 01A .0802 FUNCTIONS**

*History Note: Authority G.S. 143-392 through 143-394; 143B-359;*  
*Eff. July 1, 1978;*  
*Repealed Eff. June 1, 1982.*

#### **SECTION .0900 - NORTH CAROLINA RAILROAD COMPANY**

**19A NCAC 01A .0901 IDENTIFYING INFORMATION**  
**19A NCAC 01A .0902 FUNCTIONS**

*History Note: Authority G.S. 143B-358; 147-12(7); S.L. 1849, Ch. 82, s. 1;*  
*Eff. July 1, 1978;*  
*Amended Eff. November 1, 1991;*  
*Repealed Eff. November 1, 1993.*

#### **SECTION .1000 - ATLANTIC AND NORTH CAROLINA RAILROAD COMPANY**

**19A NCAC 01A .1001 IDENTIFYING INFORMATION**  
**19A NCAC 01A .1002 FUNCTIONS**

*History Note:* Authority G.S. 143A-106; S.L. 1852, Ch. 136, s. 1;  
Eff. July 1, 1978;  
Repealed Eff. November 1, 1993.