

## SUBCHAPTER 5D - GOVERNOR'S HIGHWAY SAFETY PROGRAM

### SECTION .0100 - PURPOSE OF THE OFFICE

<b>19A NCAC 05D .0101</b>	<b>FEDERAL HIGHWAY SAFETY ACT</b>
<b>19A NCAC 05D .0102</b>	<b>HIGHWAY SAFETY STANDARDS</b>
<b>19A NCAC 05D .0103</b>	<b>ESTABLISHMENT OF A HIGHWAY SAFETY PROGRAM</b>
<b>19A NCAC 05D .0104</b>	<b>GRANT-IN-AID TO STATE AND LOCAL GOVERNMENTS</b>
<b>19A NCAC 05D .0105</b>	<b>COST PRINCIPLES APPLICABLE TO GRANTS AND CONTRACTS</b>
<b>19A NCAC 05D .0106</b>	<b>ORGANIZATION</b>

*History Note:* Authority G.S. 143B-360; 147-12; 23 U.S.C. 402; Federal Management Circular 74-4; Federal Management Circular 74-7;  
Eff. July 1, 1978;  
Amended Eff. November 1, 1991;  
Repealed Eff. January 1, 1994 pursuant to 1991 S.L., c. 477, s. 3;  
Transferred and Recodified from 19A NCAC 3H .0100 Eff. January 1, 1999.

### SECTION .0200 - PROGRAM DEVELOPMENT

#### **19A NCAC 05D .0201 APPLICATION FOR HIGHWAY SAFETY PROJECT CONTRACT**

(a) State agencies and local governments desiring funding for a highway safety project, shall submit the form GHSP-D-03 to the Governor's Highway Safety Program.

(b) The Governor's Highway Safety Program shall review the application for funding and determine if the proposed project will be funded through the Governor's Highway Safety Program. The following is the funding criteria:

- (1) eligibility of the project as determined by the Federal Highway Safety Standards (Public Law 89.564), which are hereby incorporated by reference;
- (2) project priority based upon the highway safety needs of North Carolina and the monies available for project funding;
- (3) the projected highway safety benefits to be realized from the project; and
- (4) the estimated project cost in relation to the proposed work to be accomplished, equipment purchased, and other costs.

(c) Following the Governor's Highway Safety Program review of the application, applicants shall be notified of the results by a Governor's Highway Safety Program staff member.

*History Note:* Authority G.S. 136-18(5) and (12); 143B-357; 143B-360;  
Eff. July 1, 1978;  
Amended Eff. December 1, 1993; November 1, 1991; February 1, 1982;  
Transferred and Recodified from 19A NCAC 3H .0200 Eff. January 1, 1999;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 24, 2015.

#### **19A NCAC 05D .0202 LOCAL GOVERNMENT APPLICATION FOR SPEED MEASURING DEVICE**

#### **19A NCAC 05D .0203 APPLICATION FOR ALCOHOL BREATH TESTING DEVICE**

*History Note:* Authority G.S. 143B-357; 143B-360;  
Eff. July 1, 1978;  
Amended Eff. February 1, 1982;  
Repealed Eff. November 1, 1991;  
Transferred and Recodified from 19A NCAC 3H .0200 Eff. January 1, 1999.

#### **19A NCAC 05D .0204 APPLICATION FOR ENROLLMENT IN POLICE TRAINING COURSES**

*History Note:* Authority G.S. 136-18(5) and (12); 143B-357; 143B-360;  
Eff. July 1, 1978;  
Amended Eff. December 1, 1993; February 1, 1982;

*Transferred and Recodified from 19A NCAC 3H .0200 Eff. January 1, 1999;  
Expired Eff. November 1, 2015 pursuant to G.S. 150B-21.3A.*

**19A NCAC 05D .0205 QUARTERLY PROGRESS REPORTS**

All project contractors receiving grants from the Governor's Highway Safety Program must submit progress reports at 90-day intervals. Projects not submitting progress reports within 15 days following the end of a quarter are subject to having reimbursements withheld until compliance is satisfactorily achieved.

*History Note: Authority G.S. 136-18(5) and (12); 143B-357; 143B-360;  
Eff. July 1, 1978;  
Amended Eff. December 1, 1993; November 1, 1991; February 1, 1982;  
Transferred and Recodified from 19A NCAC 3H .0200 Eff. January 1, 1999;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 24, 2015.*

**19A NCAC 05D .0206 TRAFFIC ENFORCEMENT ACTIVITY REPORT**

*History Note: Authority G.S. 143B-360;  
Eff. July 1, 1978;  
Repealed Eff. November 1, 1991;  
Transferred and Recodified from 19A NCAC 3H .0200 Eff. January 1, 1999.*

**19A NCAC 05D .0207 ON SITE PROJECT REPORT**

The Governor's Highway Safety Program, at its discretion, may perform quarterly on-site monitoring of all aspects of projects funded by it.

*History Note: Authority G.S. 136-18(5) and (12); 143B-357; 143B-360;  
Eff. July 1, 1978;  
Amended Eff. January 1, 1994; November 1, 1991; February 1, 1982;  
Transferred and Recodified from 19A NCAC 3H .0200 Eff. January 1, 1999;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 24, 2015.*

**19A NCAC 05D .0208 FINAL ACCOMPLISHMENT REPORT**

All project contractors receiving grants from the Governor's Highway Safety Program must submit to the Governor's Highway Safety Program a final accomplishment report on Form GHSP-D-10 within 30 days of the termination of the contract unless otherwise directed. Failure to comply may jeopardize future funding and may result in withholding of reimbursement claims.

*History Note: Authority G.S. 136-18(5) and (12); 143B-357; 143B-360;  
Eff. July 1, 1978;  
Amended Eff. January 1, 1994; November 1, 1991; February 1, 1982;  
Transferred and Recodified from 19A NCAC 3H .0200 Eff. January 1, 1999;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 24, 2015.*

**19A NCAC 05D .0209 APPLICATION FOR FEDERAL GRANT FOR AMBULANCE VEHICLE**

**19A NCAC 05D .0210 APPLICATION FOR FEDERAL GRANT FOR POLICE VEHICLE**

*History Note: Authority G.S. 143B-360;  
Eff. July 1, 1978;  
Amended Eff. February 1, 1982;  
Repealed Eff. November 1, 1991;  
Transferred and Recodified from 19A NCAC 3H .0200 Eff. January 1, 1999.*

**19A NCAC 05D .0211 AVAILABILITY OF GOVERNOR'S HIGHWAY SAFETY PROGRAM FORMS**

All of the Governor's Highway Safety Program forms cited under the rules in this Section are obtainable from the Office of Highway Safety Program at:

Motor Vehicles Building

1100 New Bern Avenue  
Raleigh, NC 27697

Handy House  
215 E. Lane Street  
Raleigh, NC 27601

*History Note:* Authority G.S. 136-18(5), (12); 143B-357; 143B-360;  
Eff. July 1, 1978;  
Amended Eff. November 1, 1991; February 1, 1982;  
Transferred and Recodified from 19A NCAC 3H .0200 Eff. January 1, 1999;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 24, 2015.

## **SECTION .0300 - REIMBURSEMENT CLAIM PROCEDURES**

### **19A NCAC 05D .0301 CLAIM FOR REIMBURSEMENT**

(a) Highway safety project contractors' claims for reimbursement for a state government project or a local government project shall be initiated by filing a Cost Summary Statement form with the Governor's Highway Safety Program.

(b) Reimbursement of costs incurred by state or local personnel while attending schools or training courses directly contracted by the Governor's Highway Safety Program may be initiated by filing a summary statement form GHSP-05, GHSP-06 with the Governor's Highway Safety Program.

*History Note:* Authority G.S. 136-18(5) and (12); 143B-357; 143B-360;  
Eff. July 1, 1978;  
Amended Eff. December 1, 1993; November 1, 1991; February 1, 1982;  
Transferred and Recodified from 19A NCAC 3H .0300 Eff. January 1, 1999;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 24, 2015.

### **19A NCAC 05D .0302 SUPPORTIVE CLAIM**

All project contractors receiving grants from the Governor's Highway Safety Program and submitting claims for reimbursement must also furnish other supporting information as deemed necessary by the Governor's Highway Safety Program.

*History Note:* Authority G.S. 136-18(5) and (12); 143-129; 143B-357; 143B-360;  
Eff. July 1, 1978;  
Amended Eff. January 1, 1994; November 1, 1991; February 1, 1982;  
Transferred and Recodified from 19A NCAC 3H .0300 Eff. January 1, 1999;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 24, 2015.

### **19A NCAC 05D .0303 REQUEST FOR REIMBURSEMENT AUDIT**

All project contractors receiving grants from the Governor's Highway Safety Program and submitting requests for reimbursement will be audited by a Department of Transportation Auditor before the Governor's Highway Safety Program reimburses the applicant agency.

*History Note:* Authority G.S. 136-18(5) and (12); 143B-357; 143B-360;  
Eff. July 1, 1978;  
Amended Eff. January 1, 1994; November 1, 1991; February 1, 1982;  
Transferred and Recodified from 19A NCAC 3H .0300 Eff. January 1, 1999;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 24, 2015.

## **SECTION .0400 - NONEXPENDABLE EQUIPMENT**

### **19A NCAC 05D .0401 VERIFICATION OF ADHERENCE TO PURCHASING PROCEDURES**

*History Note:* Authority G.S. 136-18(5) and (12); 143-52; 143-53; 143-53.1; 143-54; 143B-357; 143B-360; 143-129;

*Eff. July 1, 1978;*  
*Amended Eff. January 1, 1994; November 1, 1991; February 1, 1982;*  
*Transferred and Recodified from 19A NCAC 3H .0400 Eff. January 1, 1999;*  
*Expired Eff. November 1, 2015 pursuant to G.S. 150B-21.3A.*

**19A NCAC 05D .0402 NONEXPENDABLE PROPERTY ACCOUNTABILITY RECORD**

Project contractors receiving grants from the Governor's Highway Safety Program and purchasing nonexpendable equipment must submit the necessary forms as directed by the Governor's Highway Safety Program with the claim of reimbursement.

*History Note: Authority G.S. 136-18(5) and (12); 143B-357; 143B-360;*  
*Eff. July 1, 1978;*  
*Amended Eff. January 1, 1994; November 1, 1991; February 1, 1982;*  
*Transferred and Recodified from 19A NCAC 3H .0400 Eff. January 1, 1999;*  
*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 24, 2015.*

**19A NCAC 05D .0403 DISPOSITION OF NONEXPENDABLE EQUIPMENT**

Project contractors receiving grants from the Governor's Highway Safety Program and disposing of nonexpendable equipment must request permission from the Governor's Highway Safety Program to do so on Form GHSP-A-13(R) indicating the equipment and the method of proposed disposition.

*History Note: Authority G.S. 136-18(5) and (12); 143B-357; 143B-360;*  
*Eff. July 1, 1978;*  
*Amended Eff. January 1, 1994; November 1, 1991; February 1, 1982;*  
*Transferred and Recodified from 19A NCAC 3H .0400 Eff. January 1, 1999;*  
*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 24, 2015.*

**19A NCAC 05D .0404 STATUS OF NONEXPENDABLE EQUIPMENT**

*History Note: Authority G.S. 136-18(5) and (12); 143B-357; 143B-360;*  
*Eff. July 1, 1978;*  
*Amended Eff. January 1, 1994; November 1, 1991; February 1, 1982;*  
*Transferred and Recodified from 19A NCAC 3H .0400 Eff. January 1, 1999;*  
*Expired Eff. November 1, 2015 pursuant to G.S. 150B-21.3A.*

**SECTION .0500 - VEHICLE SPECIFICATIONS**

**19A NCAC 05D .0501 POLICE VEHICLE SPECIFICATIONS**

**19A NCAC 05D .0502 AMBULANCE SPECIFICATIONS**

*History Note: Authority G.S. 143B-360;*  
*Eff. July 1, 1978;*  
*Amended Eff. February 1, 1982;*  
*Repealed Eff. November 1, 1991;*  
*Transferred and Recodified from 19A NCAC 3H .0500 Eff. January 1, 1999.*

**19A NCAC 05D .0503 STANDARD VAN AMBULANCE TYPE II SPECIFICATIONS**

*History Note: Authority G.S. 143B-360;*  
*Eff. July 1, 1978;*  
*Repealed Eff. February 1, 1982;*  
*Transferred and Recodified from 19A NCAC 3H .0500 Eff. January 1, 1999.*

**19A NCAC 05D .0504 AMBULANCE VEHICLE INSPECTION**

*History Note: Authority G.S. 143B-360;*

*Eff. July 1, 1978;*  
*Amended Eff. February 1, 1982;*  
*Repealed Eff. November 1, 1991;*  
*Transferred and Recodified from 19A NCAC 3H .0500 Eff. January 1, 1999.*