



**PROPOSED TEMPORARY RULE FOR
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Proposed Temporary Rule [G.S. 150B-21.1(a3)]

Proposed Temporary Rule simultaneously adopted as an emergency rule [G.S. 150B-21.1A(a)]

1. Rule-Making Agency: Department of Transportation

2. Proposed Action -- Mark the appropriate box(es) and list rule citation(s) beside proposed action:

ADOPTION: 19A NCAC 02C .0116

AMENDMENT:

REPEAL:

3. Public Hearing:

Date: January 17, 2018

Time: 2:30 p.m.


Location: Transportation Mobility and Safety Conference Room 161, 750 N. Greenfield Parkway, Garner, NC

4. Reason for agency adopting rule(s) under temporary action:

- A serious and unforeseen threat to the public health, safety or welfare.
- The effective date of a recent act of the General Assembly or of the U.S. Congress.
Cite:
Effective date:
- A recent change in federal or state budgetary policy.
Effective date of change: June 28, 2017
- A recent federal regulation.
Cite:
Effective date:
- A recent court order.
Cite order:
- Other:

Explain: The North Carolina Department of Transportation has determined that temporary rulemaking to adopt 19A NCAC 02C .0116 is necessary due to a change in the applicable state statutes.

In Session Law 2017-57 "Appropriations Act of 2017" for the 2016/2017 fiscal year, Section 34.6A the agency is directed to begin reimbursements for improvements that are not on school property, as set out in the statute. In order to begin the reimbursement process and allow schools the opportunity to engage in the process the agency needs to utilize the option to adopt temporary rules given in SL 2017-57 34.6A(g).

5. Comments from the public shall be directed to: Name: Helen Landi Address: 1501 Mail Service Center Raleigh, NC 27699-1501 Phone (optional): Fax (optional): E-Mail (optional): hlandi@ncdot.gov	
6. Comment Period Starts: December 6, 2017	Comment Period Ends: January 19, 2018
7. Rule-making Coordinator: Helen Landi Address: 1501 Mail Service Center Raleigh, NC 27699-1501 Phone: 919-707-2830 E-Mail: hlandi@ncdot.gov Agency contact, if any: Phone: E-mail:	8. The Agency formally proposed the text of this rule(s) on Date: December 6, 2017
	9. Signature of Agency* Head or Rule-making Coordinator:  <hr/> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Helen Landi Title: Interagency Director / Rule-making Coordinator