



NOTICE OF TEXT

[Authority G.S. 150B-21.2(c)]

OAH USE ONLY

VOLUME:

ISSUE:

CHECK APPROPRIATE BOX:

- Notice with a scheduled hearing
 Notice without a scheduled hearing
 Republication of text. Complete the following cite for the volume, issue, and date of previous publication, as well as blocks 1 - 5 and 8 - 15. If a hearing is scheduled, complete block 6.
Previous publication of text was published in Volume: Issue:

1. Rule-Making Agency: NC Department of Transportation
2. Agency obtained G.S. 150B-19.1 certification: <input checked="" type="checkbox"/> OSBM certified on: July 24, 2013 <input type="checkbox"/> RRC certified on: <input type="checkbox"/> Not Required
3. Agency website postings: <ul style="list-style-type: none">• Text of proposed rule posted at: www.ncdot.gov/about/regulations/rules• Explanation and reason for proposed rule posted at: www.ncdot.gov/about/regulations/rules• Federal Certification posted at: N/A• Instructions for oral and written comments posted at: www.ncdot.gov/about/regulations/rules• Fiscal Note if prepared posted at: www.ncdot.gov/about/regulations/rules
4. Proposed Action -- Check the appropriate box(es) and list <u>rule citation(s)</u> beside proposed action: <input type="checkbox"/> ADOPTION: <input type="checkbox"/> AMENDMENT: 19A NCAC 02C .0208 Wheel Chair Ramps <input checked="" type="checkbox"/> REPEAL:
5. Proposed effective date: December 1, 2013
6. Is a public hearing planned? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes: Public Hearing date: Public Hearing time: Public Hearing Location:
7. If no public hearing is scheduled, provide instructions on how to demand a public hearing:
8. Explain Reason For Proposed Rule(s): NC GS 136-44.14 covers the requirements set out in 19A NCAC 02C.0208 Wheelchair Ramps. In addition, the The Federal DOT adopted the Americans with Disabilities Act Accessibility Guidelines (ADAAG) in 2006 with additional requirements. These requirements require curb ramps to be installed when the pedestrian is trying to reach an accessible route, i.e. sidewalk. NCDOT is required to follow the guidelines as adopted by the Federal DOT.

9. The procedure by which a person can object to the agency on a proposed rule:

Objection. - Any person who objects to the adoption of a permanent rule may submit written comments to the agency by:

Hard copy:

N.C. Department of Transportation - Attn: Rule Making Coordinator
1501 Mail Service Center, Raleigh NC 27699-1501

Electronic copy:

<http://www.ncdot.gov/about/regulations/rules/> and click on the following link - To submit comments on proposed rules or for questions on NC Department of Transportation rule-making please Contact Us.

Procedure for Subjecting a Proposed Rule to Legislative Review: If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission. If the Rules Review Commission receives written and signed objections in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or facsimile transmission. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 919-431-3000.

10. The person to whom written comments may be submitted on the proposed rule:

Name: Helen Landi

Address:
NC Department of Transportation
1501 Mail Service Center
Raleigh NC 27699-5101

Phone (optional):

Fax (optional):

E-Mail (optional): hlandi@ncdot.gov

11. Comment Period Ends: October 14, 2013

12. Fiscal impact (check all that apply).

If this form contains rules that have different fiscal impacts, list the rule citations beside the appropriate impact.

- State funds affected
- Environmental permitting of DOT affected
Analysis submitted to Board of Transportation
- Local funds affected
Date submitted to OSBM:
- Substantial economic impact (≥\$500,000)
- Approved by OSBM
- No fiscal note required by G.S. 150B-21.4

13. Rule-making Coordinator:

Helen Landi

Address:
NC Department of Transportation
1501 Mail Service Center
Raleigh, NC 27699-1501

Phone: 919-707-2842

E-Mail: hlandi@ncdot.gov

Agency contact, if any:

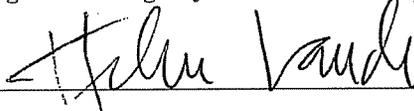
Phone:

E-mail:

14. The Agency formally proposed the text of this rule(s) on

Date: July 23, 2013

15. Signature of Agency Head* or Rule-making Coordinator:



*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: Rule-making Coordinator

Save to a File

Reset Form

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1 **19A NCAC 02C .0208 WHEEL CHAIR RAMPS**

2 ~~(a) All street curbs in North Carolina being constructed or reconstructed for maintenance procedures, traffic operation,~~
3 ~~repairs, correction of utilities or altered for any reason after September 1, 1973 shall provide wheel chair ramps for the~~
4 ~~physically handicapped at all intersections where curb and gutter is provided and at other major points of pedestrian flow.~~

5 ~~(b) Wheel chair ramps and depressed curbs shall be constructed in accordance with 19A NCAC 2D.0104, "Guidelines Curb~~
6 ~~Cuts and Ramps."~~

7 ~~Note: A copy of a booklet entitled, "Guidelines, Curb Cuts and Ramps" may be obtained from the Manager of Highway~~
8 ~~Design, Division of Highways in Raleigh at no cost.~~

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10 *History Note: Authority G.S. 136-18(1); 136-44.1;*

11 *Eff. April 3, 1981;*

12 *Amended Eff. December 29, 1993.*

13 *Repealed Eff. December 1, 2013.*

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