

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

<u>OAH USE ONLY</u>
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 - 4 and 7 - 13. If a hearing is scheduled, complete block 5.
 Previous publication of text was published in Volume: Issue:

1. Rule-Making Agency: NC Department of Transportation
2. Agency website postings: <ul style="list-style-type: none"> • Text of proposed rule posted at: http://www.ncdot.gov/about/regulations/rules/ • Explanation and reason for proposed rule posted at: http://www.ncdot.gov/about/regulations/rules/ • Federal Certification posted at: N/A • Instructions for oral and written comments posted at: http://www.ncdot.gov/about/regulations/rules/ • Fiscal Note if prepared posted at: http://www.ncdot.gov/about/regulations/rules/
3. Proposed Action -- Check the appropriate box(es) and list <u>rule citation(s)</u> beside proposed action: <input type="checkbox"/> ADOPTION: <input checked="" type="checkbox"/> AMENDMENT: 19A NCAC 02D .0531 - Free Operations <input type="checkbox"/> REPEAL:
4. Proposed effective date: July 1, 2013
5. Is a public hearing planned? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes: Public Hearing date: March 11, 2013 Wake County and March 19, 2013 Pamlico County Public Hearing time: 7:00 p.m. and 7:00 p.m. Public Hearing Location: March 11 at Wake Commons Building, Room 100C, 4011 Cary Drive, Raleigh, NC / March 19 at the Delamar Auditorium, Pamlico Community College, 5049 Highway 306 South Grantsboro, NC
6. If no public hearing is scheduled, provide instructions on how to demand a public hearing:
7. Explain Reason For Proposed Action: The General Assembly enacted SL 2012-145, which directed the Department and Board of Transportation to establish tolls for all ferry routes except for the Ocracoke/Hatteras Ferry and the Knotts Island Ferry and to begin collection of tolls on July 1, 2013.

8. 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.

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

Name: Helen Landi - Rulemaking Coordinator

Address: 1501 Mail Service Center
Raleigh, NC 27699-1501

Phone (optional):

Fax (optional):

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

10. Comment Period Ends: April 16, 2013

11. 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: December 20, 2012
- Substantial economic impact (≥\$500,000)
- Approved by OSBM
- No fiscal note required

12. Rule-making Coordinator:

Helen Landi

Address:

1501 Mail Service Center
Raleigh, NC 27699-1501

Phone: 191-707-2815

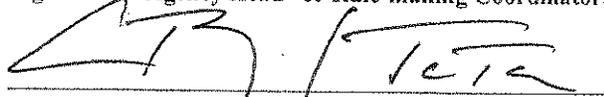
E-Mail: hlandi@ncdot.gov

Agency contact, if any:

Phone:

E-mail:

13. 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: Anthony J. Tata

Title: Secretary, North Carolina Department of Transportation