

**19A NCAC 02E .0426 ACCESS ROUTES FOR STAA DIMENSIONED VEHICLES**

The definitions and requirements set forth in this Rule shall apply to access routes for Surface Transportation Assistance Act (STAA) dimensioned vehicles.

- (1) Definitions.
  - (a) "Twin trailer truck" means a vehicle combination consisting of a truck-tractor and two trailing units, with a width not to exceed 102 inches, as authorized by G.S. 20-115.1.
  - (b) "The National Truck Network" means a network of interstate, federal-aid primary, and other highway routes within the State that have been designated by the Department for motor vehicle combination use pursuant to G.S. 20-115.1(g) or the United States Secretary of Transportation for STAA dimensioned vehicle use. State highway system roads designated by the Department pursuant to G.S. 20-115.1(g) shall herein be referred to as the "North Carolina Truck Network."
  - (c) "Terminal" means any location where:
    - (i) freight either originates, terminates, or is handled in the transportation process; or
    - (ii) commercial motor carriers maintain operating facilities.
  - (d) "Vehicle Template" means a drawing of the radius of a twin trailer turn used to determine the route design necessary to accommodate the vehicle.
  - (e) "Short-cut" means a route used for the purpose of connecting two National or North Carolina Truck Network routes.
- (2) Reasonable Access Requirements.
  - (a) No filing or authorization by the Department shall be required for access to terminals and service facilities located within three road miles of the National or North Carolina Truck Network.
  - (b) The following requirements shall apply for access to terminals located beyond three road miles from the National or North Carolina Truck Network.
    - (i) Access routes approved prior to June 1, 1991, for any one particular type of STAA dimensioned vehicle are approved for all STAA dimensioned vehicles for access purposes only.
    - (ii) Terminal officials and truck operators shall submit an application for a proposed new access route to the State Traffic Engineer of the Department for approval. The application shall be provided by the State Traffic Engineer. The contents of the application shall include the type of route designation requested, and name and contact information of the requesting party. The submittal shall also include a map, or photocopy of a portion of a map, showing the proposed access route(s) or changes to an existing approved access route(s) and the terminal location. The State Traffic Engineer may be reached at 919-814-5100 or 750 N. Greenfield Parkway, Garner, North Carolina 27529.
    - (iii) The State Traffic Engineer may seek advice from the State Highway Patrol, the Division of Motor Vehicles, or other law enforcement officials concerning the application.
    - (iv) Public notice of all applications for "reasonable access" pursuant to Sub-Item (2)(c) of this Rule shall be published by the Department of Transportation in a newspaper circulated in the area of the State where access is requested. The notice shall be published at least once a week on the same day of the week for two consecutive weeks. Governing bodies of incorporated municipalities shall be notified by the Department of all applications within their jurisdictions.
    - (v) The State Traffic Engineer shall approve or deny all applications for proposed new accessed routes based upon the application of vehicle templates, roadway plans, and photographs. If plans or photographs are not available or the use of vehicle templates is not practical, the terminal official or truck operator shall provide a STAA dimensioned test vehicle and driver for the purpose of observing the test vehicle traverse the requested access route.
    - (vi) Safety factors that shall be taken into consideration when reviewing and evaluating requested access route shall include, traffic congestion, traffic volume, route length, vehicle mix, geometric design of the highway, intersection

geometrics, width of the shoulders, width of the pavement, super-elevation of the pavement, pavement conditions, at-grade railroad crossings, stopping sight distance, percentage passing sight distance, speed limits, vertical and horizontal alignments, ability of other vehicles to pass trucks, width of bridges, previous accident statistics, and location of schools.

- (vii) Short-cut routes shall not be authorized by this Rule. Such a route shall be considered for designation as an addition to the National or North Carolina Truck Network by the Department pursuant to G.S. 20-115.1(g).
- (viii) The State Traffic Engineer shall approve or reject any application submitted pursuant to this Sub-item within 90 days of receipt. The State Traffic Engineer shall provide notification and justification for any approval or rejection to the applicant and law enforcement officials. Automatic approval of a requested access route shall be provided if such notification is not received within the 90-day period.
- (c) The Department shall notify State and local law enforcement officers of an approved "reasonable access" route that serves each terminal within the jurisdiction of the enforcement agency. The State Traffic Engineer shall also make available to terminal officials and commercial motor vehicle operators information regarding reasonable access to and from the National or North Carolina Truck Network.
- (d) The Department may, at any time subsequent to approval, revoke any routes designated as a "reasonable access" route based on safety considerations. Terminal officials, truck operators, and law enforcement officials shall be notified in writing 30 days prior to any revocation.
- (e) Any STAA dimensioned vehicle traveling an access route shall have on board an cargo manifest.
- (f) A terminal official, truck operator, or an state and local law enforcement officer may appeal the rulings concerning an access route made by the State Traffic Engineer to the Secretary of Transportation. In giving notice of appeal, the documentation to support reasons for believing that the determination of the State Traffic Engineer was erroneous shall be provided. The decision of the Secretary of Transportation shall be the final agency decision.

*History Note: Authority G.S. 20-115.1; 136-18; 143B-350;  
Board of Transportation Minutes for November 18, 1988;  
Eff. November 1, 1991;  
Amended Eff. November 1, 1993;  
Readopted Eff. July 1, 2019.*