

19A NCAC 02E .0427 MULTI-USE PATHS

- (a) Authorization for a municipality to construct and maintain multi-use paths on State highway system rights-of-way shall be provided through an encroachment agreement between the municipality and Department. The encroachment agreement shall specify the conditions of approval.
- (b) The municipality shall submit multi-use path plans with a standardized encroachment agreement to the local highway Division Engineer for review and approval. Encroachment agreements shall include provisions indicating that the municipality is responsible for the following:
- (1) design, construction, signage, and maintenance of the proposed multi-use paths;
 - (2) submitting design and construction plans to the local highway Division Engineer for review and approval prior to bidding for construction; and
 - (3) relocating the proposed multi-use trail if the highway right-of-way is required for the purpose of road widening by the Department.
- (c) A proposed encroachment agreement shall be approved by the Division Engineer upon a determination that the proposed multi-use path is safe and does not conflict with planned highway improvements that have been recommended in an adopted transportation plan.
- (d) If a proposed multi-use path utilizes State highway system rights-of-way acquired through the use of federal aid highway funds, then approval shall be obtained from the Federal Highway Administration.

*History Note: Authority G.S. 136-71.9; 136-71.10;
Eff. July 1, 1978;
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