

1 19A NCAC 02B .0158 is proposed for readoption without changes as follows:

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3 **19A NCAC 02B .0158 CHANGING GRADE OF ROAD WHEN GRADE OF RR TRACKS IS CHANGED**

4 When any railroad changes the grades of its tracks where said tracks cross or intersect any road, street, or highway of the State  
5 highway system, the railroad shall be responsible for adjusting, at its own expense, the grade of such road, street or highway  
6 as required to meet the change in grade of the railroad's tracks or facilities. Any adjustment of the road, street or highway  
7 shall be made in a manner approved by the Department. A minimum of ten feet runoff shall be required for each inch of  
8 difference in elevation between track grade and road grade. The Department may contract with the railroad to perform the  
9 asphalt run-off work on a 100 percent reimbursement basis.

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11 *History Note: Authority G.S. 136-18(5); 136-18(11); 136-20;*

12 *Eff. July 1, 1978;*

13 *Amended Eff. October 1, 1993; November 1, 1991.*