

1 19A NCAC 02B .0315 is proposed for re adoption without substantive changes as follows:

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3 **19A NCAC 02B .0315 NEGOTIATION WITH MUNICIPALITIES AND MUNICIPAL AGREEMENTS**

4 ~~Highway Transportation~~ projects within municipalities shall be constructed in accordance with a municipal agreement
5 ~~which that~~ is executed by the municipality and the ~~Board~~ when such construction includes any financial participation
6 by the municipality in project costs, or the municipality requests additional work that results in maintenance
7 responsibilities or financial participation by the municipality. ~~Board.~~ If there is no financial participation by the
8 municipality, no additional work requested by the municipality, and no maintenance requirements by the municipality,
9 then a municipal agreement shall not be required under the terms of this Rule. ~~The~~ If a municipal agreement is
10 necessary, then the agreement shall set forth such conditions as whether the Department of Transportation or the
11 municipality will acquire the ~~right of way,~~ right-of-way, and shall identify any financial participation by the
12 municipality. ~~municipality in regard to right of way cost and utility provisions.~~

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14 *History Note: Authority G.S. 136-18(2); 136-19; 136-66.3; 143B-24; 143B-350(f),(g);*

15 *Eff. July 1, 1978;*

16 *Transferred and Recodified from 19A NCAC 2B .0119 Eff. October 1, 1993;*

17 *Amended Eff. December 1, 1993.*