

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

H

D

HOUSE BILL 182  
Committee Substitute Favorable 4/1/09  
PROPOSED COMMITTEE SUBSTITUTE H182-PCS10853-SU-18

Short Title: Traffic Calming Devices/Res. Subdivisions.

(Public)

Sponsors:

Referred to:

February 18, 2009

1 A BILL TO BE ENTITLED  
2 AN ACT TO ALLOW THE PLACEMENT OF TRAFFIC TABLES OR TRAFFIC  
3 CALMING DEVICES ON THOSE PORTIONS OF STATE ROADS WITHIN A  
4 RESIDENTIAL SUBDIVISION.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. Article 7 of Chapter 136 of the General Statutes is amended by  
7 adding a new section to read:

8 "**§ 136-102.8. Subdivision streets; traffic calming devices.**

9 The Department shall establish policies and procedures for the installation or utilization of  
10 traffic tables or traffic calming devices erected on State-maintained subdivision streets adopted  
11 by the Department, pursuant to G.S. 136-102.6, if all of the following requirements are met:

- 12 (1) A traffic engineering study has been approved by the Department detailing  
13 types and locations of traffic calming devices.
- 14 (2) Installation and utilization of traffic tables or traffic calming devices is  
15 within one of the following areas:  
16 a. A subdivision with a homeowners association.  
17 b. A neighborhood in which the property owners have established a  
18 contractual agreement outlining responsibility for traffic calming  
19 devices installed in the neighborhood.
- 20 (3) The traffic tables or traffic calming devices are paid for and maintained by  
21 the subdivision homeowners association, or its successor, or pursuant to a  
22 neighborhood agreement.
- 23 (4) The homeowners association has the written support, for the installation of  
24 each traffic table or traffic calming device approved by the Department  
25 pursuant to this section, of at least seventy percent (70%) of the member  
26 property owners, or the neighborhood agreement is signed by at least  
27 seventy percent (70%) of the neighborhood property owners.
- 28 (5) The homeowners association, or neighborhood pursuant to its agreement,  
29 posts a performance bond with the Department sufficient to fund  
30 maintenance or removal of the traffic tables or calming devices, if the  
31 homeowners association, or neighborhood pursuant to its agreement, fails to  
32 maintain them, or is dissolved. The bond shall remain in place for a period of  
33 three years from the date of installation."



\* H 1 8 2 - P C S 1 0 8 5 3 - S U - 1 8 \*

1                   **SECTION 2.** This act becomes effective October 1, 2009, and applies to traffic  
2 tables and traffic calming devices installed on or after that date.