

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

H.B 1138
May 19, 2016
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH30503-RW-11 (02/09)

Short Title: Wake/Durham Co. Truck Routes/Secondary Roads. (Local)

Sponsors: Representative Avila.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO PROHIBIT TRUCK TRAFFIC TRAVELING TO A SPECIFIC DESTINATION FROM USING VICTORY CHURCH ROAD IN WAKE COUNTY AND REQUIRE THOSE TRUCKS TO INSTEAD USE AN ALTERNATE TRUCK ROUTE IN WAKE OR DURHAM COUNTY DESIGNATED BY THE DEPARTMENT, IF SPECIFIED CONDITIONS ARE MET, AND IF REQUESTED BY ALL AFFECTED LOCAL GOVERNMENTS IN WAKE AND DURHAM COUNTIES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-116 is amended by adding a new subsection to read:

"(h1) The Department is authorized to prohibit truck traffic traveling to a specific destination from using specified secondary State roads and require those trucks to instead use an alternate truck route designated by the Department, if all of the following conditions are met:

- (1) The road subject to restriction is a State secondary road located in a primarily residential area.
- (2) The road subject to restriction is not a primary State highway.
- (3) The road subject to restriction has a disproportionately large number of trucks traversing the route in order to travel to a specific nearby destination, and the truck traffic is inconsistent with the primarily residential land use along the road.
- (4) The road subject to restriction has an average daily traffic count of 10,000 or fewer vehicles per day.
- (5) The alternate truck route designated by the Department adds no more than 15 miles to a truck trip to the specified destination, measured from the initial point of restriction.
- (6) The Department, based on its investigation, finds that safety will be promoted and the public interest served by the designations.
- (7) The Department determines whether there are alternate routes significantly different in land use and density that provide access to the specified destination, and if the specified truck destination was in operation prior to the establishment of the residential land use along the route to be restricted, and notifies all affected local government governing bodies of its determination prior to their taking any action under subdivision (8) of this subsection.
- (8) All local governments in which the proposed restricted and alternate truck routes are located request the designations, by resolution of their governing boards."



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1 **SECTION 2.** This act applies to Wake County and Durham County only. This act
2 becomes effective October 1, 2016.