

Paving and Maintenance of State and Private Roads



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Where are NC's unpaved roads?



- **State secondary road system**
 - Maintained by the State
 - Unpaved roads eligible to be paved under the Secondary Unpaved Road Paving Program (G.S. 136-44.2D)
- **Private roads (subdivision streets, non-platted subdivisions/rural roads, other non-subdivision roads serving the general public)**
 - Not maintained by the State unless they are brought up to State standards and added to the State system (G.S. 136-44.10)
 - Unpaved roads not eligible to be paved under the Secondary Unpaved Road Paving Program (G.S. 136-44.2D)

How does a private road get added to the State system?



G.S. 136-44.10 requires the Board of Transportation to adopt uniform standards and criteria for addition to the secondary road system. Specific requirements are set out in 19A NCAC 02C.0103.

Subdivision streets (19A NCAC 2C.0103)



- Property owners must dedicate necessary right-of-way free of charge.
- Utilities requiring adjustment or relocation must be made at no expense to DOT.
- At least 20% of the lots bordering the street must be individually owned.
- There must be at least two occupied residences for each one-tenth of a mile. A minimum of four occupied residences is required for roads less than two-tenths of a mile.
- Roads shall meet minimum design and construction standards of the Division of Highways.
- Erosion control measures must be installed in accordance with Division of Highways specifications.
- Streets with right-of-way dedicated, recorded, or with preliminary approval from a county planning board on or after October 1, 1975, must be paved to Division of Highway standards.

Rural roads (19A NCAC 02C.0103)



- Property owners must dedicate necessary right-of-way free of charge.
- There must be an average of five occupied residences per mile. Roads one mile or less in length must have at least five occupied residences.
- There must be at least two individual property owners on the road.

G.S. 136-102.6 and Subdivision Streets



- Applies to land subdivided on and after October 1, 1975.
- Purpose – to insure new subdivision streets dedicated to the public comply with State standards or that full and accurate disclosure is given as to who is responsible for construction and maintenance.
- Requires:
 - Map or plat to be recorded before any conveyance of a portion of the land.
 - Right-of-way must be delineated with particularity and streets must be designated as public or private.
 - Prior to sale, developer/seller must provide a disclosure statement to buyer.

Currently Underway . . .



- DOT survey of private paved and unpaved roads that are open to the public.
 - Report due to Joint Legislative Transportation Oversight Committee by June 30, 2016.
 - Pilot program will use \$1 million of funds allocated to the Secondary Unpaved Road Paving Program to improve selected private roads. Improvements will not obligate the State to provide further maintenance.
- A similar survey completed in early 2000 estimated approximately 8,000 miles of unpaved private roads, with an estimated cost to upgrade of \$1.2 billion.