

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003**

**S**

**1**

**SENATE BILL 426**

Short Title: Abandonment by DOT of City Roadways. (Public)

---

Sponsors: Senator Hartsell.

---

Referred to: Transportation.

---

March 17, 2003

A BILL TO BE ENTITLED  
AN ACT TO REMOVE COUNTY COMMISSIONERS FROM THE PROCEDURE  
FOR ABANDONMENT OF ROADWAYS LOCATED IN MUNICIPALITIES BY  
THE DEPARTMENT OF TRANSPORTATION.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 136-63 is amended by adding a new subsection to read:

"(c) Any road currently located in the limits of a municipality and previously maintained by the State shall not require action by the applicable board of county commissioners for road or right-of-way abandonment by the Department of Transportation. The applicable municipality shall be notified by the Department of the proposed road or right-of-way abandonment. The municipality shall have 60 days to reply to the Department if it objects to the proposed abandonment.

When a municipality objects to the proposed abandonment of a road or right-of-way, the final decision on the abandonment shall be made by the Board of Transportation. This decision shall be made within 120 days of receipt by the Department, of the municipality's objection."

**SECTION 2.** This act is effective when it becomes law.