

N.C. BOARD OF TRANSPORTATION

RULES FOR ACCESS ROUTES FOR STAA DIMENSIONED VEHICLES

The North Carolina Administrative Code, 19A:02E.0426, is amended to read:

19A NCAC Subchapter 2E, Section .0426 ACCESS ROUTES FOR STAA DIMENSIONED VEHICLES

The following definitions and procedures apply to this Rule:

(1) DEFINITIONS:

- (a) STAA (Surface Transportation Assistance Act) Dimensioned Vehicles are described as follows:
- (i) A “twin-trailer truck” is a vehicle combination consisting of a truck-tractor and two trailing units, 102 inches wide, as authorized by G.S. 20-115.1.
 - (ii) A “48-foot Semi-trailer truck” is a vehicle combination consisting of a truck-tractor and one trailer 48 feet in length, 102 inches wide, as authorized by G.S. 20-115.1.
 - (iii) A “53-foot Semi-Trailer truck” is a vehicle combination consisting of a truck-tractor and one trailer 53 feet in length, 102 inches wide, and a “kingpin” axle distance of 41 feet, as authorized by G.S. 20-115.1 and G.S. 20-116.
- (b) The National Truck Network is a network of highway routes within the State consisting of the Interstate and certain Federal-aid Primary highways designated for STAA dimensioned vehicle use by the U.S. Secretary of Transportation, and other highway routes that have been designated for this type vehicle use by the North Carolina Department of Transportation under the authority of G.S. 20-115.1(g).
- (c) “Terminal” means any location where:
- (i) Freight either originates, terminates, or is handled in the transportation process, or
 - (ii) Commercial motor carriers maintain operating facilities.
- (d) “Reasonable Access” – The term “reasonable access” means provision for STAA dimensioned vehicles access to terminals and services from the National Truck Network, as follows:
- (i) Terminals Located Within Three Road Miles from the National Truck Network:
 - (A) Reasonable access shall be deemed to be the use of the most reasonable, practical route(s) available for access to terminals, and services for gas, food, lodging and repairs.
 - (B) An access route(s) may only be denied by the Department of Transportation based on specific safety reasons on individual routes.
 - (ii) Terminals Located Beyond Three Road Miles of the National Truck Network:
 - (A) Reasonable access shall be deemed to be the use of only those routes specifically authorized by the Department of Transportation, or provided for in this Rule, for access to terminals.
 - (B) Authorization by the Department of Transportation shall consist of an application review and approval process for these access routes, as provided in this Rule.

- (e) "Vehicle Template" is drawing of a twin trailer which tracks the radius of turns to determine design necessary to accommodate vehicle.
- (f) "STAA" means Surface Transportation Assistance Act of 1982 and is the enabling federal legislation which allows twin trailers to travel on interstate highways and other approved routes.

(2) REASONABLE ACCESS PROCEDURES:

- (a) STAA dimensioned vehicles are allowed "reasonable access" between terminals and the National Truck Network only in accordance with this Section.
- (b) For access to terminals and service facilities located within three road miles of the National Network no filing or authorization by the Department of Transportation is required.
- (c) For access to terminals located beyond three road miles from the National Truck Network the following procedures apply:
 - (i) Access routes approved prior to June 1, 1991 for any one particular type of STAA dimensioned vehicle are approved for all STAA dimensioned vehicles for access purposes only.
 - (ii) Terminal officials and truck operators shall submit an application for a proposed new access route(s) to the State Traffic Engineer of the Department of Transportation for approval. The application shall be on a form provided by the State Traffic Engineer. The submittal shall also include a map, or photocopy of a portion of a map, showing the proposed access route(s) or changes to an existing approved access route(s) and the terminal location.
 - (iii) The State Traffic Engineer may seek advice from the State Highway Patrol, the Division of Motor Vehicles, or other law enforcement officials concerning the application.
 - (iv) Public notice of all applications for "reasonable access" pursuant to this Paragraph (2)(c) shall be published by the Department of Transportation in a newspaper regularly circulated in the affected area of the State. The notice shall be published at least once a week on the same day of the week for two consecutive weeks. In addition, governing bodies of incorporated municipalities will be notified by the Department of Transportation of all applications within their jurisdictions.
 - (v) Access Route Review and Evaluation:
 - (A) The review and evaluation process of access routes will utilize the application of vehicle templates where suitable roadway plans or photographs are available for the requested route(s). Where such plans or photographs are not available and the use of vehicle templates is not practical, the State Traffic Engineer shall require the terminal official or truck operator requesting the access route(s) to furnish an appropriate STAA dimensioned test vehicle and driver for the purpose of observing the test vehicle traverse the requested access route(s).

- (B) Since traffic safety is the overriding concern, the following safety factors shall also be taken into consideration in reviewing and evaluating a requested access route(s):
- (I) traffic congestion,
 - (II) traffic volumes,
 - (III) route length,
 - (IV) vehicle mix,
 - (V) geometric design of the highway,
 - (VI) intersection geometrics,
 - (VII) width of the shoulders,
 - (VIII) width of the pavement,
 - (IX) superelevation of the pavement,
 - (X) pavement condition,
 - (XI) at-grade railroad crossings,
 - (XII) stopping sight distance,
 - (XIII) percentage passing sight distance,
 - (XIV) speed limits,
 - (XV) vertical and horizontal alignment,
 - (XVI) ability of other vehicles to pass trucks,
 - (XVII) widths of bridges,
 - (XVIII) previous accident experience, and
 - (XIX) location of schools.

This does not preclude consideration of other relevant safety factors, not included in paragraph (2)(v)(B)(I) through (XIX).

- (vi) A route(s) used for the purpose of connecting two National Truck Network routes is considered a “short-cut” route(s) and is not authorized by this Rule. Such a route(s) may be considered for designation as an addition to the National Truck Network by the Department of Transportation under G.S. 20-115.1(g).
 - (vii) The State Traffic Engineer shall have a period of 90 days from receipt of any fully completed application pursuant to Sub-item (2)(c)(ii) of this Rule to approve or reject the applied for route(s) based on safety considerations and the review and evaluation process outlined in Sub-item (2)(c)(v) of this Rule. Terminal official and truck operators requesting an access route(s) and appropriate law enforcement officials shall be notified of any approval or rejection and the reasons. Automatic approval of a requested access route(s) is provided if such notification is not received within the 90 day period.
- (d) The Department of Transportation shall notify appropriate State and local law enforcement officers of an approved “reasonable access” route(s) that serves each terminal within the jurisdiction of the enforcement agency. The State Traffic Engineer shall also make available to terminal officials and commercial motor vehicle operators information regarding reasonable access to and from the National Truck Network.

- (e) The Department of Transportation may, at any time subsequent to approval, revoke any routes as a “reasonable access” route(s) based upon safety considerations. Terminal officials, truck operators, and appropriate law enforcement officials shall be notified in writing 30 days prior to any revocation.
- (f) Any STAA dimensioned vehicle traveling an access route(s) shall have on board an appropriate cargo manifest.
- (g) Approval of an access route(s) for one particular type STAA dimensioned vehicle shall constitute approval for all STAA dimensioned vehicles for access purposes only.
- (h) Appeal – A terminal official, truck operator, or an appropriate law enforcement official may appeal the rulings concerning an access route(s) made by the State Traffic Engineer to the Secretary of Transportation. In giving notice of appeal, the documentation to support reasons for believing that the determination of that State Traffic Engineer was erroneous shall be provided. The decision of the Secretary of Transportation shall be the final agency decision.

*History Note: Authority G.S. 20-115.1; 136-18, 143B-350;
Board of Transportation Minutes for November 18, 1988;
Eff. November 1, 1991;
Amended Eff. November 1993.*