



**STATE OF NORTH CAROLINA  
OFFICE OF ADMINISTRATIVE HEARINGS**

January 5, 2021

Helen Landi  
Rulemaking Coordinator, North Carolina Department of Transportation  
**Sent via email only: [hlandi@ncdot.gov](mailto:hlandi@ncdot.gov)**

Re: Objection to Rules 19A NCAC 02E .0204, .0206, and .0225

Dear Ms. Landi:

At its December 17, 2020 meeting, the Rules Review Commission objected to the above-referenced Rules in accordance with G.S. 150B-21.10.

The Commission objected to 19A NCAC .0204, .0206, and .0225 for lack of statutory authority, finding that as written the Rules conflict with G.S. 136-131.1 and 136-131.2. Specifically, the Commission found that requiring local approval or transferring regulatory oversight to local governments as provided in these Rules is beyond the authority of the agency.

Please respond to this letter in accordance with the provisions of G.S. 150B-21.12. If you have any questions regarding the Commission's actions, please let me know.

Sincerely,

  
Amber May  
Commission Counsel

cc: Hannah Jernigan

**Julian Mann, III**, Director  
Chief Administrative Law Judge

**Fred G. Morrison, Jr.**  
Senior Administrative Law Judge

**Linda T. Worth**  
Deputy Director

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