



CHAPTER 136
ARTICLE 2 - POWERS AND DUTIES OF DEPARTMENT AND BOARD OF TRANSPORTATION

N.C.G.S. § 136-26.

Closing of State transportation infrastructure during construction or for dangerous conditions; driving through, removal, injury to barriers, warning signs, etc.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2019-84, s. 1 — ninth act in the lineage	21 September 2026, 03:30 UTC	76365768ad509226dff2a122 - 11a3412ae3313a37dbbc5fa7 - 35149d17f2c7a3ac

§ 136-26(a) If it shall appear necessary to the Department of Transportation, its officers, or appropriate employees, to close any transportation infrastructure coming under its jurisdiction so as to permit proper completion of construction work which is being performed, or to prohibit traffic on transportation infrastructure due to damage posing a danger to public safety, the Department of Transportation, its officers or employees, may close, or cause to be closed, the whole or any portion of transportation infrastructure deemed necessary to be excluded from public travel. While any transportation infrastructure, or portion thereof, is so closed, or while any transportation infrastructure, or portion thereof, is in process of construction or maintenance, the Department of Transportation, its officers or appropriate employees, or its contractor, under authority from the Department of Transportation, may erect, or cause to be erected, suitable barriers or obstruction thereon; may post, or cause to be posted, conspicuous notices to the effect that the transportation infrastructure, or portion thereof, is closed; and may place warning signs, lights and lanterns on transportation infrastructure, or portions thereof.

§ 136-26(b) When infrastructure is closed to the public as provided herein, any person who willfully drives onto transportation infrastructure closed pursuant to this section or

removes, injures or destroys any such barrier or barriers or obstructions on the road closed or being constructed, or tears down, removes or destroys any such notices, or extinguishes, removes, injures or destroys any such warning signs, lights, or lanterns so erected, posted, or placed pursuant to this section, shall be guilty of a Class 1 misdemeanor.

§ 136-26(c)

This prohibition [in this section] does not apply to law enforcement, first responders, personnel of emergency management agencies, or Department of Transportation personnel acting in the course of, and within the scope of, their official duties; or personnel acting in the course of, and within the scope of, installation, restoration or maintenance of utility services in coordination with the Department of Transportation.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
9 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

1919	1969		2019
TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT			
Nº	YEAR	ACT	CHARACTER
01	1921	c. 2, s. 12	ENACTED
02	C.S.	s. 3846(t)	RECODIFIED
03	1933	c. 172, s. 17	AMENDED
04	1957	c. 65, s. 11	AMENDED
05	1973	c. 507, s. 5	AMENDED
06	1977	c. 464, s. 7.1	AMENDED
07	1993	c. 539, s. 980	AMENDED
08	2009	S.L. 2009-266, s. 10	AMENDED
09	2019	S.L. 2019-84, s. 1	AMENDED

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 136-26 (2019).

PINPOINT

N.C. Gen. Stat. § 136-26(a) (2019).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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This is not the official text. The official text is published by the General Assembly of North Carolina.

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1921, c. 2, s. 12; C.S., s. 3846(t); 1933, c. 172, s. 17; 1957, c. 65, s. 11; 1973, c. 507, s. 5; 1977, c. 464, s. 7.1; 1993, c. 539, s. 980; 2009-266, s. 10; 2019-84, s. 1.)

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