



CHAPTER 136

ARTICLE 2A - STATE TRANSPORTATION GENERALLY

N.C.G.S. § 136-44.7B.

Permit issuance by Department of Environmental Quality transportation construction projects.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	No amendment history on record	21 September 2026, 02:51 UTC	eccd4847d26ff822f6fbeb27 - b59e7ddb36f3c66ac87f5934 - 6c6462ae21ee86db

Once the Department of Environmental Quality or any agency within the Department of Environmental Quality has issued a permit that is required for a transportation construction project to be undertaken by or on behalf of the Department of Transportation pursuant to the Transportation Improvement Program, that permit shall remain in effect until the project is completed. The permit shall not expire and shall not be modified or canceled for any reason, including a subsequent change in federal law or regulations or in State law or rules, unless at least one of the following occurs:

The modification or cancellation is requested by the Department of Transportation.

The modification or cancellation is clearly required by a change in federal law or regulations and a failure to modify or cancel the permit by the Department of Environmental Quality will or may result in a loss of federal program delegation or a significant reduction in the availability of federal funds to the Department of Environmental Quality or to the Department of Transportation.

The modification or cancellation is clearly required by a change in State law as a result of an act of the General Assembly that includes a statement that the General Assembly specifically intends the change in State law to apply to ongoing transportation construction projects.

The modification or cancellation is ordered by a court of competent jurisdiction.

The nature or scope of the transportation construction project is significantly expanded or otherwise altered.

Federal law or regulation requires that the permit expire at the end of a specific term of years. (2003-284, s. 29.6; 2015-241, s. 14.30(u).)

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 136-44.7B (2026).

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.

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