

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 1469*

Short Title: Exempt Utility Trucks.

(Public)

Sponsors: Senators Johnson, Seymour, and Smith.

Referred to: Public Utilities.

May 25, 1994

A BILL TO BE ENTITLED

AN ACT TO EXEMPT FROM REGISTRATION AND THE MOTOR FUEL TAX
VEHICLES REGISTERED IN ANOTHER STATE AND OPERATED
TEMPORARILY IN THIS STATE BY A UTILITY PROVIDER OR ITS
CONTRACTOR FOR THE PURPOSE OF RESTORATION OF UTILITY
SERVICES IN AN EMERGENCY OUTAGE AS RECOMMENDED BY THE
JOINT LEGISLATIVE UTILITY REVIEW COMMITTEE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-51 reads as rewritten:

"§ 20-51. Exempt from registration.

The following shall be exempt from the requirement of registration and certificate of title:

- (1) Any such vehicle driven or moved upon a highway in conformance with the provisions of this Article relating to manufacturers, dealers, or nonresidents.
- (2) Any such vehicle which is driven or moved upon a highway only for the purpose of crossing such highway from one property to another.
- (3) Any implement of husbandry, farm tractor, road construction or maintenance machinery or other vehicle which is not self-propelled that was designed for use in work off the highway and which is operated on the highway for the purpose of going to and from such nonhighway projects.
- (4) Any vehicle owned and operated by the government of the United States.

- 1 (5) Farm tractors equipped with rubber tires and trailers or semitrailers
2 when attached thereto and when used by a farmer, his tenant, agent, or
3 employee in transporting his own farm implements, farm supplies, or
4 farm products from place to place on the same farm, from one farm to
5 another, from farm to market, or from market to farm. This exemption
6 shall extend also to any tractor, implement of husbandry, and trailer or
7 semitrailer while on any trip within a radius of 10 miles from the point
8 of loading, provided that the vehicle does not exceed a speed of 35
9 miles per hour. This section shall not be construed as granting any
10 exemption to farm tractors, implements of husbandry, and trailers or
11 semitrailers which are operated on a for-hire basis, whether money or
12 some other thing of value is paid or given for the use of such tractors,
13 implements of husbandry, and trailers or semitrailers.
- 14 (6) Any trailer or semitrailer attached to and drawn by a properly licensed
15 motor vehicle when used by a farmer, his tenant, agent, or employee in
16 transporting unginning cotton, peanuts, soybeans, corn, hay, tobacco,
17 silage, cucumbers, potatoes, fertilizers or chemicals purchased or
18 owned by such farmer or tenant for personal use in implementing
19 husbandry or irrigation pipes and equipment owned by such farmer or
20 tenant from place to place on the same farm, from one farm to another,
21 from farm to gin, from farm to dryer, or from farm to market, and
22 when not operated on a for-hire basis. The term 'transporting' as used
23 herein shall include the actual hauling of said products and all
24 unloaded travel in connection therewith.
- 25 (7) Those small farm trailers known generally as tobacco-handling trailers,
26 tobacco trucks or tobacco trailers when used by a farmer, his tenant,
27 agent or employee, when transporting or otherwise handling tobacco in
28 connection with the pulling, tying or curing thereof.
- 29 (8) Any vehicle which is driven or moved upon a highway only for the
30 purpose of crossing or traveling upon such highway from one side to
31 the other provided the owner or lessee of the vehicle owns the fee or a
32 leasehold in all the land along both sides of the highway at the place or
33 crossing.
- 34 (9) Mopeds as defined in G.S. 20-4.01(27)d1.
- 35 (10) Devices which are designed for towing private passenger motor
36 vehicles or vehicles not exceeding 5,000 pounds gross weight. These
37 devices are known generally as 'tow dollies.' A tow dolly is a two-
38 wheeled device without motive power designed for towing disabled
39 motor vehicles and is drawn by a motor vehicle in the same manner as
40 a trailer.
- 41 (11) Devices generally called converter gear or dollies consisting of a
42 tongue attached to either a single or tandem axle upon which is
43 mounted a fifth wheel and which is used to convert a semitrailer to a

1 full trailer for the purpose of being drawn behind a truck tractor and
2 semitrailer.

3 (12) Motorized wheelchairs or similar vehicles not exceeding 1,000 pounds
4 gross weight when used for pedestrian purposes by a handicapped
5 person with a mobility impairment as defined in G.S. 20-37.5.

6 (13) Any vehicle registered in another state and operated temporarily within
7 this State by a public utility, a governmental or cooperative provider of
8 utility services, or its contractor for the purpose of restoration of utility
9 services in an emergency outage."

10 Sec. 2. G.S. 105-449.49 reads as rewritten:

11 **"§ 105-449.49. Temporary permits.**

12 Upon application to the Secretary and payment of a fee of fifty dollars (\$50.00), a
13 motor carrier may obtain a temporary permit authorizing the carrier to operate a vehicle
14 in the State without registering the vehicle in accordance with G.S. 105-449.47 for not
15 more than 20 days. A motor carrier to whom a temporary permit has been issued may
16 elect not to report its operation of the vehicle during the 20-day period. The Secretary
17 may refuse to issue a temporary permit to any of the following:

- 18 (1) A motor carrier whose registration has been withheld or revoked.
19 (2) A motor carrier who the Secretary determines is evading payment of
20 tax through the successive purchase of temporary permits.

21 A temporary permit is not required for any vehicle registered in another state and
22 operated temporarily in this State by a public utility, a governmental or cooperative
23 provider of utility services, or its contractor for the purpose of restoration of utility
24 services in an emergency outage."

25 Sec. 3. This act becomes effective October 1, 1994.