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SENATE BILL 1695

Commerce, Small Business and Entrepreneurship Committee Substitute Adopted
5/28/08

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Short Title: Vehicle Size and Weight Changes.

(Public)

Sponsors:

Referred to:

May 21, 2008

A BILL TO BE ENTITLED

AN ACT TO MAKE VARIOUS CHANGES TO THE MOTOR VEHICLE LAWS
RELATED TO DRIVERS LICENSES, REGISTRATION PLATES ISSUED TO
FARM VEHICLES, AND VEHICLE SIZE AND WEIGHT LIMITATIONS, AS
RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION
OVERSIGHT COMMITTEE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-7(a)(3) reads as rewritten:

"(3) Class C. – A Class C license authorizes the holder to drive any of the
following:

- a. A Class C motor vehicle that is not a commercial motor vehicle.
- b. When operated by a volunteer member of a fire department, a
rescue squad, or an emergency medical service (EMS) in the
performance of duty, a Class A or Class B fire-fighting, rescue,
or EMS motor vehicle or a combination of these vehicles.

- c. A combination of noncommercial motor vehicles that have a
GVWR of more than 10,000 pounds but less than 26,001
pounds. This sub-subdivision does not apply to a Class C
license holder less than 18 years of age.

SECTION 2. G.S. 20-88(b)(3) reads as rewritten:

"(3) License plates issued at the farmer rate shall be placed upon trucks and
truck-tractors that are operated ~~exclusively in the~~ for the primary
purpose of carrying or transportation-transporting of the applicant's

1 farm products, raised or produced on ~~his~~ the applicant's farm, and farm
2 ~~supplies~~ supplies. The license plates shall not be used on a vehicle ~~and~~
3 ~~not~~ operated in hauling for hire."

4 **SECTION 3.** G.S. 20-115.1(g) reads as rewritten:

5 "(g) Under certain conditions, and after consultation with the Joint Legislative
6 Commission on Governmental Operations, the North Carolina Department of
7 Transportation may designate State highway system roads in addition to those highways
8 designated by the United States Secretary of Transportation for use by the vehicle
9 combinations authorized in this section. Such designations by the Department shall only
10 be made under the following conditions:

- 11 (1) A determination of the public convenience and need for such
12 designation;
- 13 (2) A traffic engineering study which clearly shows the road proposed to
14 be designated can safely accommodate and has sufficient capacity to
15 handle these vehicle combinations; and
- 16 (3) A public hearing is held or the opportunity for a public hearing is
17 provided in each county through which the designated highway passes,
18 after two weeks notice posted at the courthouse and published in a
19 newspaper of general circulation in each county through which the
20 designated State highway system road passes, and consideration is
21 given to the comments received prior to the designation.
- 22 (4) The Department may designate routes for one particular type of STAA
23 (Surface Transportation Assistance Act) dimensioned vehicle when
24 significant, substantial differences in their operating characteristics
25 exist.

26 ~~No portion of the State highway system within municipal corporate limits may be~~
27 ~~designated by the Department without concurrence by the municipal governing body.~~
28 ~~Also, the~~ The Department may not designate any portion of the State highway system
29 that has been deleted or exempted by the United States Secretary of Transportation
30 based on safety considerations. For the purpose of this section, any highway designated
31 by the Department shall be deemed to be the same as a federal-aid primary highway
32 designated by the United States Secretary of Transportation pursuant to 49 USC 2311
33 and 49 USC 2316, and the vehicle combinations authorized in this section shall be
34 permitted to operate on such highway."

35 **SECTION 4.** G.S. 20-115.1(b) reads as rewritten:

36 "(b) Motor vehicle combinations consisting of a semitrailer of not more than 53
37 feet in length and a truck tractor may be operated on ~~the interstate highways (except~~
38 ~~those exempted by the United States Secretary of Transportation pursuant to 49 U.S.C.~~
39 ~~2311(i)) and federal aid primary system highways designated by the United States~~
40 ~~Secretary of Transportation~~ all primary highway routes of North Carolina provided
41 that the motor vehicle combination meets the requirements of this subsection. The
42 Department may, at any time, prohibit motor vehicle combinations on portions of any
43 route on the State highway system. If the Department prohibits a motor vehicle
44 combination on any route, it shall submit a written report to the Joint Legislative

1 Transportation Oversight Committee within six months of the prohibition clearly
2 documenting through traffic engineering studies that the operation of a motor vehicle
3 combination on that route cannot be safely accommodated and that the route does not
4 have sufficient capacity to handle the vehicle combination. To operate on a primary
5 highway route, a motor vehicle combination described in this subsection must meet all
6 of the following requirements:

7 (1) Any ~~The motor vehicle combination must comply with the weight~~
8 requirements in G.S. 20-118.

9 (2) A ~~semitrailer in excess of 48 feet in length shall not be permitted~~
10 unless; must meet one or more of the following conditions:

11 a. The distance between the kingpin of the trailer and the rearmost
12 axle, or a point midway between the two rear axles, if the two
13 rear axles are a tandem axle, does not exceed 41 ~~feet; or~~ feet.

14 b. The semitrailer is used exclusively or primarily to transport
15 vehicles in connection with motorsports competition events,
16 and the distance between the kingpin of the trailer and the
17 rearmost axle, or a point midway between the two rear axles, if
18 the two rear axles are a tandem axle, does not exceed 46 ~~feet;~~
19 feet. and

20 ~~(2)(3)~~ Any ~~A~~ semitrailer in excess of 48 feet is ~~is~~ must be equipped with a rear
21 underride guard of substantial construction consisting of a continuous
22 lateral beam extending to within four inches of the lateral extremities
23 of the semitrailer and located not more than 30 inches from the surface
24 as measured with the vehicle empty and on a level surface."

25 **SECTION 5.** G.S. 20-116(e) reads as rewritten:

26 "(e) Except as provided by G.S. 20-115.1, no combination of vehicles coupled
27 together shall consist of more than two units and no such combination of vehicles shall
28 exceed a total length of 60 feet inclusive of front and rear bumpers, subject to the
29 following exceptions: Motor vehicle combinations of one semitrailer of not more than
30 ~~48-53~~ feet in length and a truck tractor (power unit) may exceed the 60-foot maximum
31 length. Said length limitation shall not apply to vehicles operated in the daytime when
32 transporting poles, pipe, machinery or other objects of a structural nature which cannot
33 readily be dismembered, nor to such vehicles transporting such objects operated at
34 nighttime by a public utility when required for emergency repair of public service
35 facilities or properties, but in respect to such night transportation every such vehicle and
36 the load thereon shall be equipped with a sufficient number of clearance lamps on both
37 sides and marker lamps upon the extreme ends of said projecting load to clearly mark
38 the dimensions of such load: Provided that vehicles designed and used exclusively for
39 the transportation of motor vehicles shall be permitted an overhang tolerance front or
40 rear not to exceed five feet. Provided, that wreckers may tow a truck, combination
41 tractor and trailer, trailer, or any other disabled vehicle or combination of vehicles to a
42 place for repair, parking, or storage within 50 miles of the point where the vehicle was
43 disabled and may tow a truck, tractor, or other replacement vehicle to the site of the
44 disabled vehicle. Provided, however, that a combination of a house trailer used as a

1 mobile home, together with its towing vehicle, shall not exceed a total length of 55 feet
2 exclusive of front and rear bumpers. Provided further, that the said limitation that no
3 combination of vehicles coupled together shall consist of more than two units shall not
4 apply to trailers not exceeding three in number drawn by a motor vehicle used by
5 municipalities for the removal of domestic and commercial refuse and street rubbish,
6 but such combination of vehicles shall not exceed a total length of 50 feet inclusive of
7 front and rear bumpers. Provided further, that the said limitation that no combination of
8 vehicles coupled together shall consist of more than two units shall not apply to a
9 combination of vehicles coupled together by a saddle mount device used to transport
10 motor vehicles in a driveway service when no more than three saddle mounts are used
11 and provided further, that equipment used in said combination is approved by the safety
12 regulations of the Federal Highway Administration and the safety rules of the
13 Department of Crime Control and Public Safety."

14 **SECTION 6.** G.S. 20-116(j) reads as rewritten:

15 "(j) Nothing in this section shall be construed to prevent the operation of
16 Self-propelled self-propelled grain combines or other farm equipment self-propelled,
17 pulled-pulled, or otherwise, not exceeding 18-25 feet in width may be operated on any
18 highway, except a highway or section of highway that is a fully controlled access
19 highway or is a part of the National System of Interstate and Defense Highways. Farm
20 equipment includes a vehicle that is designed exclusively to transport compressed seed
21 cotton from a farm to a gin and has a self-loading bed. All such combines Combines or
22 equipment which exceed 10 feet in width may be se-operated only if they meet all of
23 under the following conditions: conditions listed in this subsection. A violation of one or
24 more of these conditions does not constitute negligence per se.

25 (1) Said-The equipment may only be se-operated during daylight hours.

26 (2) Said-The equipment must display a red flag on front and rear, said rear
27 ends. The flags shall not be smaller than three feet wide and four feet
28 long and belong. The flags shall be attached to a stick, pole, staff, etc.,
29 not less than four feet long and they shall be se-attached to said-the
30 equipment as to be visible from both directions at all times while being
31 operated on the public highway for not less than 300 feet.

32 (3) Equipment covered by this section, which by necessity must travel
33 more than 10 miles or where by nature of the terrain or obstacles the
34 flags referred to in subdivision (2) of this subsection are not visible
35 from both directions for 300 feet at any point along the proposed route,
36 must be preceded at a distance of 300 feet and followed at a distance
37 of 300 feet by a flagman in a vehicle having mounted thereon an
38 appropriate warning light or flag. No flagman in a vehicle shall be
39 required pursuant to this subdivision if the equipment is being moved
40 under its own power or on a trailer from any field to another field, or
41 from the normal place of storage of the vehicle to any field, for no
42 more than ten miles and if visible from both directions for 300 feet at
43 any point along the proposed route.

- 1 (4) Every ~~such~~ piece of equipment so operated shall operate to the right of
2 the center line when meeting traffic coming from the opposite
3 direction and at all other times when possible and practical.
- 4 ~~(5) Violation of this section shall not constitute negligence per se.~~
- 5 (6) When ~~said~~the equipment is causing a delay in traffic, the operator of
6 ~~said~~the equipment shall move the equipment off the paved portion of
7 the highway at the nearest practical location until the vehicles
8 following ~~said~~the equipment have passed.
- 9 (7) The equipment shall be operated in the designed transport position that
10 minimizes equipment width. No removal of equipment or
11 appurtenances is required under this subdivision."

12 **SECTION 7.** G.S. 20-118(c)(12) reads as rewritten:

13 "(12) Subsections (b) and (e) of this section do not apply to a vehicle that ~~(i)~~
14 ~~is hauling agricultural crops from the farm where they were grown to~~
15 ~~first market, (ii) is within 35 miles of that farm, (iii) does not operate~~
16 ~~on an interstate highway or posted bridge while hauling the crops, and~~
17 ~~meets one of the following descriptions:~~meets all of the conditions set
18 out below:

- 19 a. ~~Is a five axle combination with a gross weight of no more than~~
20 ~~90,000 pounds, a single axle weight of no more than 22,000~~
21 ~~pounds, a tandem axle weight of no more than 42,000 pounds,~~
22 ~~and a length of at least 51 feet between the first and last axles of~~
23 ~~the combination.~~Is hauling agricultural crops from the farm
24 where the crop is grown to the closest market.
- 25 b. Repealed by Session Laws 1993 (Reg. Sess., 1994), c. 761, s.
26 13.
- 27 b1. Does not operate on an interstate highway or exceed any posted
28 bridge weight limits during transportation or hauling of
29 agricultural products.
- 30 c. ~~Is a four axle combination with a gross weight that does not~~
31 ~~exceed the limit set in subdivision (b)(3) of this section,~~Does
32 not exceed a single-axle weight of no more than 22,000 pounds,
33 and a tandem-axle weight of no more than 42,000
34 pounds.pounds, or a gross weight of 90,000 pounds."

35 **SECTION 8.** G.S. 20-118(k) reads as rewritten:

36 "(k) From September 1 through March 1 of each year, a vehicle which is equipped
37 with a self-loading bed and which is designed and used exclusively to transport
38 compressed seed cotton from the farm to a cotton gin may operate on the highways of
39 the State, except interstate highways, with a tandem-axle weight not exceeding ~~44,000~~
40 50,000 pounds. Such vehicles shall be exempt from light-traffic road limitations only
41 from point of origin on the light-traffic road to the nearest State-maintained road which
42 is not posted to prohibit the transportation of statutory load limits. This exemption does
43 not apply to restricted, posted bridge structures."

44 **SECTION 9.** G.S. 20-118(c)(15) reads as rewritten:

1 "(15) Subsections (b) and (e) of this section do not apply to a vehicle or
2 vehicle combination that meets all of the conditions below, but all
3 other enforcement provisions of this Article remain applicable:
4 a. Is hauling wood residuals, including wood chips, sawdust,
5 mulch, or tree bark from any site; is hauling raw logs to first
6 market; or is transporting bulk soil, bulk rock, sand, sand rock,
7 or asphalt millings from a site that does not have a certified
8 scale for weighing the vehicle.
9 b. Does not operate on an interstate highway, a posted light-traffic
10 road, except as provided by subdivision (c)(5) of this section, or
11 a posted bridge.
12 c. Does not exceed a maximum gross weight 4,000 pounds in
13 excess of what is allowed in subsection (b) of this section.
14 d. Does not exceed a single-axle weight of more than 22,000
15 pounds and a tandem-axle weight of more than 42,000 pounds."

16 **SECTION 10.** This act becomes effective September 1, 2008.