

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 1337\*  
Senate Finance Committee Substitute Adopted 7/23/92

Short Title: Recyclable Weight Penalty.

(Public)

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Sponsors:

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Referred to:

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May 27, 1992

A BILL TO BE ENTITLED

AN ACT TO AMEND THE MOTOR VEHICLE LAWS TO PROVIDE FOR ONE-  
HALF THE NORMAL WEIGHT PENALTY FOR VEHICLES HAULING  
RECYCLABLE MATERIALS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-118(c)(5) reads as rewritten:

"(5) A truck or other motor vehicle shall be exempt from such light-traffic road limitations provided for pursuant to G.S. 20-118(b)(4), when transporting processed and unprocessed seafood from boats or any other point of origin, meats and agricultural crop products originating from a farm, or forest products originating from a farm or from woodlands, or livestock or poultry by-products from point of origin, or recyclable material for processing from a point of origin to a scrap-processing facility on a light-traffic road to the nearest State maintained road which is not posted to prohibit the transportation of statutory load limits. As used in this subdivision, 'processing' has the same meaning as defined in G.S. 130A-290(a)(23) and 'recyclable' has the same meaning as defined in G.S. 130A-290(a)(26)."

Sec. 2. G.S. 20-118(e)(2) reads as rewritten:

"(2) For each violation of the single-axle or tandem-axle weight limit as provided in G.S. 20-118(b)(1) and 20-118(b)(2) by vehicles transporting processed and unprocessed seafood from boats or any other point of origin to a processing plant or a point of further

1 distribution, meats and agricultural crop products originating from a  
2 farm, or forest products originating from a farm or from woodlands to  
3 first market, or livestock or poultry by-products from point of origin to  
4 a rendering plant, recyclable material for processing from a point of  
5 origin to a scrap-processing facility, or fully enclosed motor vehicles  
6 designed specifically for collecting, compacting and hauling garbage  
7 from residences, or from garbage dumpsters when operating for those  
8 purposes, the owner or registrant of the vehicle shall pay to the  
9 Department a civil penalty which equals the amount produced by  
10 applying one-half of the rate indicated in the schedule in G.S. 20-  
11 118(e)(1) to the weight in pounds on each axle in excess of the  
12 maximum weight in pounds allowed under G.S. 20-118(b)(1) and 20-  
13 118(b)(2). As used in this subdivision, 'processing' has the same  
14 meaning as defined in G.S. 130A-290(a)(23) and 'recyclable' has the  
15 same meaning as defined in G.S. 130A-290(a)(26)."

16 Sec. 3. G.S. 20-118(e)(4) reads as rewritten:

17 "(4) For each violation of any weight limit as provided in G.S. 20-118(b)(3)  
18 by vehicles transporting processed and unprocessed seafood from  
19 boats or any other point of origin to a processing plant or a point of  
20 further distribution, meats and agricultural crop products originating  
21 from a farm or forest products originating from a farm or woodlands to  
22 first market, or livestock or poultry by-products from point of origin to  
23 a rendering plant, recyclable material for processing from a point of  
24 origin to a scrap-processing facility, or fully enclosed motor vehicles  
25 designed specifically for collecting, compacting and hauling garbage  
26 from residences, or from garbage dumpsters when operating for those  
27 purposes, the owner or registrant shall pay to the Department a civil  
28 penalty which equals the amount produced by applying one-half of the  
29 rate indicated in the schedule in G.S. 20-118(e)(3) to the weight in  
30 pounds on each axle group in excess of the maximum weight in  
31 pounds allowed under G.S. 20-118(b)(3). As used in this subdivision,  
32 'processing' has the same meaning as defined in G.S. 130A-290(a)(23)  
33 and 'recyclable' has the same meaning as defined in G.S. 130A-  
34 290(a)(26)."

35 Sec. 4. This act is effective upon ratification.