

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 388*
Committee Substitute Favorable 3/16/95

Short Title: Truck Weight Tolerances Limits.

(Public)

Sponsors:

Referred to:

March 8, 1995

A BILL TO BE ENTITLED
AN ACT TO PROVIDE A LIMITED TOLERANCE FOR EXISTING TRUCK
WEIGHTS.

The General Assembly of North Carolina enacts:

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

"(h) Tolerance. – A vehicle may exceed the axle-group weight limitations set forth in subdivision (b)(3) of this section by a tolerance of ten percent (10%). This exception does not authorize a vehicle to exceed either the single-axle and tandem-axle weight limitations set forth in subdivisions (b)(1) and (b)(2) of this section, or the maximum weight limit of 80,000 pounds. This exception does not apply to bridges posted under G.S. 136-72 or to vehicles operating on interstate highways. No tolerance on the single-axle weight, the tandem-axle weight, or axle-group weight-weight or the tandem-axle weight provided for in ~~G.S. 20-118(b)~~ subdivisions (b)(1) and (b)(2) of this section shall be granted administratively or otherwise."

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

"(e) Penalties. –

(1) Except as provided in subdivision (2) of this subsection, for each violation of the single-axle or tandem-axle weight limits set in subdivision (b)(1), (b)(2), or (b)(4) of this section, the Department of

1 Transportation shall assess a civil penalty against the owner or registrant
2 of the vehicle in accordance with the following schedule: for the first
3 1,000 pounds or any part thereof, four cents (4¢) per pound; for the next
4 1,000 pounds or any part thereof, six cents (6¢) per pound; and for each
5 additional pound, ten cents (10¢) per pound. These penalties apply
6 separately to each weight limit violated. In all cases of violation of the
7 weight limitation, the penalty shall be computed and assessed on each
8 pound of weight in excess of the maximum permitted.

9 (2) The penalty for a violation of the single-axle or tandem-axle weight
10 limits by a vehicle that is transporting an item listed in subdivision
11 (c)(5) of this section is one-half of the amount it would otherwise be
12 under subdivision (1) of this subsection.

13 (3) Except as provided in subdivision (4) of this subsection, for a violation
14 of an axle-group weight limit set in subdivision (b)(3) of this section,
15 the Department of Transportation shall assess a civil penalty against the
16 owner or registrant of the motor vehicle in accordance with the
17 following schedule: for the first 2,000 pounds or any part thereof, two
18 cents (2¢) per pound; for the next 3,000 pounds or any part thereof, four
19 cents (4¢) per pound; for each pound in excess of 5,000 pounds, ten
20 cents (10¢) per pound. These penalties apply separately to each axle-
21 group weight limit violated. The penalty shall be assessed on each
22 pound of weight in excess of the maximum ~~permitted~~permitted,
23 excluding tolerance.

24 (4) The penalty for a violation of an axle-group weight limit by a vehicle
25 that is transporting an item listed in subdivision (c)(5) of this section is
26 one-half of the amount it would otherwise be under subdivision (3) of
27 this subsection.

28 (5) A violation of a weight limit in this section is not punishable under G.S.
29 20-176."

30 Sec. 3. This act is effective upon ratification.