

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1999

HOUSE BILL 1501
RATIFIED BILL

AN ACT TO ALLOW SERVICE OF PROCESS BY PUBLICATION IN MOTOR VEHICLE LIEN CASES IN SMALL CLAIMS COURT, AS RECOMMENDED BY THE NORTH CAROLINA COURTS COMMISSION, TO AUTHORIZE AN INCREASE OF THE TOTAL WIDTH OF VEHICLES OR COMBINATIONS OF VEHICLES OPERATED ON THE STATE HIGHWAYS, AND TO DIRECT THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE TO STUDY THE ISSUE OF MOTOR VEHICLE LENGTH.

The General Assembly of North Carolina enacts:

Section 1. G.S. 7A-211.1 reads as rewritten:

"§ 7A-211.1. Actions to enforce motor vehicle mechanic and storage liens.

Notwithstanding the provisions of G.S. 7A-210(2) and 7A-211, the chief district judge may in his discretion, by specific order or general rule, assign to any magistrate of his district actions to enforce motor vehicle mechanic and storage liens arising under G.S. 44A-2(d) or 20-77(d) when the claim arose in the county in which the magistrate resides. The defendant may be subjected to the jurisdiction of the court over his person by the methods provided in G.S. 7A-217 or 1A-1, ~~Rule 4(j)~~, Rules 4(j) and 4(j1), Rules of Civil Procedure."

Section 2. G.S. 20-116(a) reads as rewritten:

"(a) The total outside width of any vehicle or the load thereon shall not exceed ~~96~~ 102 inches, except as otherwise provided in this section. When hogsheads of tobacco are being transported, a tolerance of six inches is allowed. When sheet or bale tobacco is being transported the load must not exceed a width of 114 inches at the top of the load and the bottom of the load at the truck bed must not exceed the width of 102 inches inclusive of allowance for load shifting or settling. ~~Special mobile equipment is allowed a total outside width not to exceed 102 inches.~~ Vehicles (other than passenger buses) that do not exceed the overall width of 102 inches and otherwise provided in this section may be operated in accordance with G.S. 20-115.1(c), (f), and (g)."

Section 3. The Joint Legislative Transportation Oversight Committee, with the assistance of the Department of Transportation, shall study the issue of motor vehicle lengths. The Committee shall examine both the issue of trailers of 53 feet in length and vehicles with a total overall length of 70 feet as a part of its study. The Department of Transportation is directed to assist the Committee in its study by developing data on the types and lengths of truck equipment sold and operated in the State. The Department shall report to the Committee by October 1, 2000. The Committee shall submit its final report on this issue, along with any recommended legislation, to the 2001 Regular Session of the General Assembly on or before January 15, 2001.

Section 4. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 12th day of July, 2000.

Marc Basnight
President Pro Tempore of the Senate

James B. Black
Speaker of the House of Representatives

James B. Hunt, Jr.
Governor

Approved _____ .m. this _____ day of _____ , 2000