

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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HOUSE BILL 425
Committee Substitute Favorable 4/23/03

Short Title: Horse Trailer/Weigh Stations.

(Public)

Sponsors:

Referred to:

March 12, 2003

A BILL TO BE ENTITLED

1 AN ACT TO ELIMINATE THE REQUIREMENT THAT SMALL HORSE
2 TRAILERS DESIGNED TO CARRY FOUR OR FEWER HORSES MUST STOP
3 AT PERMANENT WEIGH STATIONS.
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5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 20-118.1 reads as rewritten:

7 "**§ 20-118.1. Officers may weigh vehicles and require overloads to be removed.**

8 A law enforcement officer may stop and weigh a vehicle to determine if the vehicle's
9 weight is in compliance with the vehicle's declared gross weight and the weight limits
10 set in this Part. The officer may require the driver of the vehicle to drive to a scale
11 located within five miles of where the officer stopped the vehicle.

12 Any person operating a vehicle or a combination of vehicles having a GVWR of
13 10,001 pounds or more or any vehicle transporting hazardous materials that is required
14 to be placarded under 49 C.F.R. § 171-180 must enter a permanent weigh station or
15 temporary inspection or weigh site as directed by duly erected signs or an electronic
16 transponder for the purpose of being electronically screened for compliance, or
17 weighed, or inspected.

18 If the vehicle's weight exceeds the amount allowable, the officer may detain the
19 vehicle until the overload has been removed. Any property removed from a vehicle
20 because the vehicle was overloaded is the responsibility of the owner or operator of the
21 vehicle. The State is not liable for damage to or loss of the removed property.

22 Failure to permit a vehicle to be weighed or to remove an overload is a misdemeanor
23 of the Class set in G.S. 20-176. An officer must weigh a vehicle with a scale that has
24 been approved by the Department of Agriculture and Consumer Services.

25 A privately owned noncommercial horse trailer constructed to transport four or
26 fewer horses shall not be required to stop at any permanent weigh station in the State,
27 unless the driver of the vehicle hauling the trailer is directed to stop by a law
28 enforcement officer."

29 **SECTION 2.** This act is effective when it becomes law.