

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007**

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**SENATE BILL 1695
Commerce, Small Business and Entrepreneurship Committee Substitute Adopted
5/28/08**

Short Title: Vehicle Size and Weight Changes.

(Public)

Sponsors:

Referred to:

May 21, 2008

A BILL TO BE ENTITLED

1 AN ACT TO AUTHORIZE PERSONS WHO HOLD A CLASS C LICENSE TO
2 OPERATE SPECIFIED VEHICLE AND BOAT TRAILER COMBINATIONS; TO
3 AUTHORIZE VEHICLES WITH FARMER LICENSE PLATES TO OPERATE
4 FOR FARM-RELATED ACTIVITIES; TO SPECIFY WHEN MUNICIPAL
5 CONCURRENCE IS NECESSARY FOR DESIGNATION OF CERTAIN TRUCK
6 ROUTES; TO PROVIDE THAT FIFTY-THREE-FOOT SEMITRAILERS MAY
7 OPERATE ON PRIMARY HIGHWAYS; TO PROVIDE THAT COMBINES UP
8 TO TWENTY-FIVE FEET IN WIDTH MAY BE OPERATED ON SPECIFIED
9 HIGHWAYS; TO CHANGE THE WIDTH LIMITS AND AUTHORIZED TIME
10 OF OPERATION FOR THE TOWED BOAT TRAILERS; TO INCREASE
11 SPECIFIED WEIGHT LIMITS FOR VEHICLES HAULING AGRICULTURAL
12 CROPS AND COMPRESSED SEED COTTON; AND TO MODIFY THE
13 WEIGHT EXCEPTION FOR VEHICLES TRANSPORTING RAW LOGS TO
14 FIRST MARKET, AS RECOMMENDED BY THE JOINT LEGISLATIVE
15 TRANSPORTATION OVERSIGHT COMMITTEE.
16

17 The General Assembly of North Carolina enacts:

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

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

- 21 a. A Class C motor vehicle that is not a commercial motor vehicle.
- 22 b. When operated by a volunteer member of a fire department, a
23 rescue squad, or an emergency medical service (EMS) in the
24 performance of duty, a Class A or Class B fire-fighting, rescue,
25 or EMS motor vehicle or a combination of these vehicles.
- 26 c. A combination of motor vehicles that has a combined actual
27 weight of less than 26,001 pounds, and includes as part of the
28 combination a boat and boat trailer, or a boat trailer."

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

2 "(3) License plates issued at the farmer rate shall be placed upon trucks and
3 truck-tractors that are operated exclusively in the carrying or
4 transportation of applicant's farm products, raised or produced on his
5 farm, and farm ~~supplies~~ supplies, or for farm-related activities, and not
6 operated in hauling for hire."

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

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

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

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

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

40 "(b) Motor vehicle combinations consisting of a semitrailer of not more than 53
41 feet in length and a truck tractor may be operated on ~~the interstate highways (except~~
42 ~~those exempted by the United States Secretary of Transportation pursuant to 49 U.S.C.~~
43 ~~2311(i)) and federal aid primary system highways designated by the United States~~
44 ~~Secretary of Transportation~~ all primary highway routes of North Carolina provided that:

- 1 (1) Any semitrailer in excess of 48 feet in length shall not be permitted
2 unless:
3 a. The distance between the kingpin of the trailer and the rearmost
4 axle, or a point midway between the two rear axles, if the two
5 rear axles are a tandem axle, does not exceed 41 feet; or
6 b. The semitrailer is used exclusively or primarily to transport
7 vehicles in connection with motorsports competition events,
8 and the distance between the kingpin of the trailer and the
9 rearmost axle, or a point midway between the two rear axles, if
10 the two rear axles are a tandem axle, does not exceed 46 feet;
11 and
12 (2) Any semitrailer in excess of 48 feet is equipped with a rear underride
13 guard of substantial construction consisting of a continuous lateral
14 beam extending to within four inches of the lateral extremities of the
15 semitrailer and located not more than 30 inches from the surface as
16 measured with the vehicle empty and on a level surface."

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

18 "(e) Except as provided by G.S. 20-115.1, no combination of vehicles coupled
19 together shall consist of more than two units and no such combination of vehicles shall
20 exceed a total length of 60 feet inclusive of front and rear bumpers, subject to the
21 following exceptions: Motor vehicle combinations of one semitrailer of not more than
22 ~~48-53~~ feet in length and a truck tractor (power unit) may exceed the 60-foot maximum
23 length. Said length limitation shall not apply to vehicles operated in the daytime when
24 transporting poles, pipe, machinery or other objects of a structural nature which cannot
25 readily be dismembered, nor to such vehicles transporting such objects operated at
26 nighttime by a public utility when required for emergency repair of public service
27 facilities or properties, but in respect to such night transportation every such vehicle and
28 the load thereon shall be equipped with a sufficient number of clearance lamps on both
29 sides and marker lamps upon the extreme ends of said projecting load to clearly mark
30 the dimensions of such load: Provided that vehicles designed and used exclusively for
31 the transportation of motor vehicles shall be permitted an overhang tolerance front or
32 rear not to exceed five feet. Provided, that wreckers may tow a truck, combination
33 tractor and trailer, trailer, or any other disabled vehicle or combination of vehicles to a
34 place for repair, parking, or storage within 50 miles of the point where the vehicle was
35 disabled and may tow a truck, tractor, or other replacement vehicle to the site of the
36 disabled vehicle. Provided, however, that a combination of a house trailer used as a
37 mobile home, together with its towing vehicle, shall not exceed a total length of 55 feet
38 exclusive of front and rear bumpers. Provided further, that the said limitation that no
39 combination of vehicles coupled together shall consist of more than two units shall not
40 apply to trailers not exceeding three in number drawn by a motor vehicle used by
41 municipalities for the removal of domestic and commercial refuse and street rubbish,
42 but such combination of vehicles shall not exceed a total length of 50 feet inclusive of
43 front and rear bumpers. Provided further, that the said limitation that no combination of
44 vehicles coupled together shall consist of more than two units shall not apply to a

1 combination of vehicles coupled together by a saddle mount device used to transport
2 motor vehicles in a driveway service when no more than three saddle mounts are used
3 and provided further, that equipment used in said combination is approved by the safety
4 regulations of the Federal Highway Administration and the safety rules of the
5 Department of Crime Control and Public Safety."

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

7 "(j) Nothing in this section shall be construed to prevent the operation of
8 Self-propelled self-propelled grain combines or other farm equipment self-propelled,
9 pulled-pulled, or otherwise, not exceeding 18 25 feet in width ~~may be operated~~ on any
10 highway, except a highway or section of highway that is a fully controlled access
11 highway or is a part of the National System of Interstate and Defense Highways. Farm
12 equipment includes a vehicle that is designed exclusively to transport compressed seed
13 cotton from a farm to a gin and has a self-loading bed. All such combines or equipment
14 which exceed 10 feet in width may be so operated only under the following conditions:

- 15 (1) Said equipment may only be so operated during daylight hours.
- 16 (2) Said equipment must display a red flag on front and rear, said flags
17 shall not be smaller than three feet wide and four feet long and be
18 attached to a stick, pole, staff, etc., not less than four feet long and
19 shall be so attached to said equipment as to be visible from both
20 directions at all times while being operated on the public highway for
21 not less than 300 feet.
- 22 (3) Equipment covered by this section, which by necessity must travel
23 more than 10 miles or where by nature of the terrain or obstacles the
24 flags referred to in subdivision (2) are not visible from both directions
25 for 300 feet at any point along the proposed route, must be preceded at
26 a distance of 300 feet and followed at a distance of 300 feet by a
27 flagman in a vehicle having mounted thereon an appropriate warning
28 light or flag. No flagman in a vehicle shall be required pursuant to this
29 subdivision if the equipment is being moved under its own power or
30 on a trailer from any field to another field, or from the normal place of
31 storage of the vehicle to any field, for no more than ten miles and if
32 visible from both directions for 300 feet at any point along the
33 proposed route.
- 34 (4) Every such piece of equipment so operated shall operate to the right of
35 the center line when meeting traffic coming from the opposite
36 direction and at all other times when possible and practical.
- 37 (5) Violation of this section shall not constitute negligence per se.
- 38 (6) When said equipment is causing a delay in traffic, the operator of said
39 equipment shall move the equipment off the paved portion of the
40 highway at the nearest practical location until the vehicles following
41 said equipment have passed."

42 **SECTION 7.** G.S. 20-116 is amended by adding a new subsection to read:

43 "§ 20-116. **Size of vehicles and loads.**

44 ...

1 (m) Notwithstanding any other provision of this section, the towing of any boat or
2 boat trailer in excess of 102 inches in width shall require a permit to be issued pursuant
3 to the requirements of G.S. 20-119 and may take place on any day of the week,
4 including weekends and holidays, and may take place at night. With a properly issued
5 permit, the towing of any boat or boat trailer of 120 inches or more in width may take
6 place on any day of the week, including weekends and holidays, but shall not take place
7 at night."

8 **SECTION 8.** G.S. 20-118(c)(12) reads as rewritten:

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

15 a. ~~Is a five-axle combination with a gross weight of no more than~~
16 ~~90,000 pounds, a single axle weight of no more than 22,000~~
17 ~~pounds, a tandem axle weight of no more than 42,000 pounds,~~
18 ~~and a length of at least 51 feet between the first and last axles of~~
19 ~~the combination.~~Is hauling agricultural crops from the farm
20 where the crop is grown to the closest market.

21 b. Repealed by Session Laws 1993 (Reg. Sess., 1994), c. 761, s.
22 13.

23 (b1) Does not operate on an interstate highway or exceed any posted
24 bridge weight limits during transportation or hauling of
25 agricultural products.

26 c. ~~Is a four-axle combination with a gross weight that does not~~
27 ~~exceed the limit set in subdivision (b)(3) of this section,~~Does
28 not exceed a single-axle weight of no more than 22,000 pounds,
29 ~~and a tandem-axle weight of no more than 42,000~~
30 ~~pounds.~~pounds, or a gross weight of 90,000 pounds."

31 **SECTION 9.** G.S. 20-118(k) reads as rewritten:

32 "(k) From September 1 through March 1 of each year, a vehicle which is equipped
33 with a self-loading bed and which is designed and used exclusively to transport
34 compressed seed cotton from the farm to a cotton gin may operate on the highways of
35 the State, except interstate highways, ~~with a tandem axle weight not exceeding 44,000~~
36 ~~pounds.~~not exceeding 64,000 pounds gross vehicle weight regardless of axle weight.
37 Such vehicles shall be exempt from light-traffic road limitations only from point of
38 origin on the light-traffic road to the nearest State-maintained road which is not posted
39 to prohibit the transportation of statutory load limits. This exemption does not apply to
40 restricted, posted bridge structures."

41 **SECTION 10.** G.S. 20-118(c)(15) reads as rewritten:

42 "(15) Subsections (b) and (e) of this section do not apply to a vehicle or
43 vehicle combination that meets all of the conditions below, but all
44 other enforcement provisions of this Article remain applicable:

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

13 **SECTION 11.** This act is effective when it becomes law