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SENATE BILL 1695
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Short Title: Vehicle Size and Weight Changes.

(Public)

Sponsors:

Referred to:

May 21, 2008

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE PERSONS EIGHTEEN YEARS OF AGE OR OLDER WHO HOLD A CLASS C LICENSE TO OPERATE SPECIFIED VEHICLE COMBINATIONS; TO CLARIFY THE OPERATION OF VEHICLES WITH FARMER LICENSE PLATES; TO ELIMINATE MUNICIPAL CONCURRENCE FOR DESIGNATION OF CERTAIN TRUCK ROUTES; TO PROVIDE THAT FIFTY-THREE-FOOT SEMITRAILERS MAY OPERATE ON PRIMARY HIGHWAYS; TO PROVIDE THAT COMBINES UP TO TWENTY-FIVE FEET IN WIDTH MAY BE OPERATED ON SPECIFIED HIGHWAYS; TO CHANGE THE WIDTH LIMITS AND AUTHORIZED TIME OF OPERATION FOR TOWED BOAT TRAILERS; TO INCREASE SPECIFIED WEIGHT LIMITS FOR VEHICLES HAULING AGRICULTURAL CROPS AND COMPRESSED SEED COTTON; AND TO MODIFY THE WEIGHT EXCEPTION FOR VEHICLES TRANSPORTING RAW LOGS TO FIRST MARKET, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

The General Assembly of North Carolina enacts:

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

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

- a. A Class C motor vehicle that is not a commercial motor vehicle.
- b. When operated by a volunteer member of a fire department, a rescue squad, or an emergency medical service (EMS) in the performance of duty, a Class A or Class B fire-fighting, rescue, or EMS motor vehicle or a combination of these vehicles.
- c. A combination of non-commercial motor vehicles that have a GVWR of more than 10,000 pounds but less than 26,001

1 pounds. This sub-subdivision does not apply to a Class C
2 license holder less than 18 years of age."

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

4 "(3) License plates issued at the farmer rate shall be placed upon trucks and
5 truck-tractors that are operated ~~exclusively in the~~ for the primary
6 purpose of carrying or transportation-transporting of the applicant's
7 farm products, raised or produced on ~~his~~ the applicant's farm, and farm
8 ~~supplies~~ supplies. The license plates shall not be used on a vehicle ~~and~~
9 ~~not~~ operated in hauling for hire."

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

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

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

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

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

42 "(b) Motor vehicle combinations consisting of a semitrailer of not more than 53
43 feet in length and a truck tractor may be operated on ~~the interstate highways (except~~
44 ~~those exempted by the United States Secretary of Transportation pursuant to 49 U.S.C.~~

1 ~~2311(i)) and federal aid primary system highways designated by the United States~~
2 ~~Secretary of Transportation~~ all primary highway routes of North Carolina provided
3 ~~that:~~ the motor vehicle combination meets the requirements of this subsection. The
4 Department may, after consultation with the Joint Legislative Transportation Oversight
5 Committee, prohibit a motor vehicle combination on portions of a primary route or
6 other State route if it can clearly show through traffic engineering studies that the
7 operation of a motor vehicle combination on that route cannot be safely accommodated
8 and that the route does not have sufficient capacity to handle the vehicle combination.
9 To operate on a primary highway route, a motor vehicle combination described in this
10 subsection must meet all of the following requirements:

11 (1) ~~Any~~ The motor vehicle combination must comply with the weight
12 requirements in G.S. 20-118.

13 (2) A semitrailer in excess of 48 feet in length shall not be permitted
14 unless: must meet one or more of the following conditions:

15 a. The distance between the kingpin of the trailer and the rearmost
16 axle, or a point midway between the two rear axles, if the two
17 rear axles are a tandem axle, does not exceed ~~41 feet;~~ or feet.

18 b. The semitrailer is used exclusively or primarily to transport
19 vehicles in connection with motorsports competition events,
20 and the distance between the kingpin of the trailer and the
21 rearmost axle, or a point midway between the two rear axles, if
22 the two rear axles are a tandem axle, does not exceed ~~46 feet;~~
23 feet. and

24 ~~(2)(3) Any~~ A semitrailer in excess of 48 feet is must be equipped with a rear
25 underride guard of substantial construction consisting of a continuous
26 lateral beam extending to within four inches of the lateral extremities
27 of the semitrailer and located not more than 30 inches from the surface
28 as measured with the vehicle empty and on a level surface."

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

30 "(e) Except as provided by G.S. 20-115.1, no combination of vehicles coupled
31 together shall consist of more than two units and no such combination of vehicles shall
32 exceed a total length of 60 feet inclusive of front and rear bumpers, subject to the
33 following exceptions: Motor vehicle combinations of one semitrailer of not more than
34 ~~48-53~~ feet in length and a truck tractor (power unit) may exceed the 60-foot maximum
35 length. Said length limitation shall not apply to vehicles operated in the daytime when
36 transporting poles, pipe, machinery or other objects of a structural nature which cannot
37 readily be dismembered, nor to such vehicles transporting such objects operated at
38 nighttime by a public utility when required for emergency repair of public service
39 facilities or properties, but in respect to such night transportation every such vehicle and
40 the load thereon shall be equipped with a sufficient number of clearance lamps on both
41 sides and marker lamps upon the extreme ends of said projecting load to clearly mark
42 the dimensions of such load: Provided that vehicles designed and used exclusively for
43 the transportation of motor vehicles shall be permitted an overhang tolerance front or
44 rear not to exceed five feet. Provided, that wreckers may tow a truck, combination

1 tractor and trailer, trailer, or any other disabled vehicle or combination of vehicles to a
2 place for repair, parking, or storage within 50 miles of the point where the vehicle was
3 disabled and may tow a truck, tractor, or other replacement vehicle to the site of the
4 disabled vehicle. Provided, however, that a combination of a house trailer used as a
5 mobile home, together with its towing vehicle, shall not exceed a total length of 55 feet
6 exclusive of front and rear bumpers. Provided further, that the said limitation that no
7 combination of vehicles coupled together shall consist of more than two units shall not
8 apply to trailers not exceeding three in number drawn by a motor vehicle used by
9 municipalities for the removal of domestic and commercial refuse and street rubbish,
10 but such combination of vehicles shall not exceed a total length of 50 feet inclusive of
11 front and rear bumpers. Provided further, that the said limitation that no combination of
12 vehicles coupled together shall consist of more than two units shall not apply to a
13 combination of vehicles coupled together by a saddle mount device used to transport
14 motor vehicles in a driveway service when no more than three saddle mounts are used
15 and provided further, that equipment used in said combination is approved by the safety
16 regulations of the Federal Highway Administration and the safety rules of the
17 Department of Crime Control and Public Safety."

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

19 "(j) Nothing in this section shall be construed to prevent the operation of
20 Self-propelled self-propelled grain combines or other farm equipment self-propelled,
21 pulled-pulled, or otherwise, not exceeding 18-25 feet in width may be operated on any
22 highway, except a highway or section of highway that is a fully controlled access
23 highway or is a part of the National System of Interstate and Defense Highways. Farm
24 equipment includes a vehicle that is designed exclusively to transport compressed seed
25 cotton from a farm to a gin and has a self-loading bed. All such combines Combines or
26 equipment which exceed 10 feet in width may be so-operated only if they meet all of
27 under the following conditions: conditions listed in this subsection. A violation of one or
28 more of these conditions does not constitute negligence per se.

29 (1) ~~Said~~ The equipment may only be so-operated during daylight hours.

30 (2) ~~Said~~ The equipment must display a red flag on front and rear, said rear
31 ends. The flags shall not be smaller than three feet wide and four feet
32 long and belong. The flags shall be attached to a stick, pole, staff, etc.,
33 not less than four feet long and they shall be so-attached to said the
34 equipment as to be visible from both directions at all times while being
35 operated on the public highway for not less than 300 feet.

36 (3) Equipment covered by this section, which by necessity must travel
37 more than 10 miles or where by nature of the terrain or obstacles the
38 flags referred to in subdivision (2) of this subsection are not visible
39 from both directions for 300 feet at any point along the proposed route,
40 must be preceded at a distance of 300 feet and followed at a distance
41 of 300 feet by a flagman in a vehicle having mounted thereon an
42 appropriate warning light or flag. No flagman in a vehicle shall be
43 required pursuant to this subdivision if the equipment is being moved
44 under its own power or on a trailer from any field to another field, or

1 from the normal place of storage of the vehicle to any field, for no
 2 more than ten miles and if visible from both directions for 300 feet at
 3 any point along the proposed route.

4 (4) Every ~~such~~ piece of equipment so operated shall operate to the right of
 5 the center line when meeting traffic coming from the opposite
 6 direction and at all other times when possible and practical.

7 (5) ~~Violation of this section shall not constitute negligence per se.~~

8 (6) When ~~said~~ the equipment is causing a delay in traffic, the operator of
 9 ~~said~~ the equipment shall move the equipment off the paved portion of
 10 the highway at the nearest practical location until the vehicles
 11 following ~~said~~ the equipment have passed.

12 (7) The equipment shall be operated in the designed transport position that
 13 minimizes equipment width. No removal of equipment or
 14 appurtenances is required under this subdivision."

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

16 "**§ 20-116. Size of vehicles and loads.**

17 ...

18 (m) Notwithstanding subsection (a) of this section, a boat or boat trailer with an
 19 outside width of less than 120 inches may be towed without a permit. The towing of a
 20 boat or boat trailer less than 120 inches in width may take place on any day of the week,
 21 including weekends and holidays, and may take place at night so long as there is an
 22 operating light harness attached at the widest part of the combination. With a properly
 23 issued permit, the towing of a boat or boat trailer 120 inches or more in width may take
 24 place on any day of the week, including weekends and holidays, but shall not take place
 25 at night. The provisions of this subsection do not apply to the towing of a boat by or on
 26 behalf of a manufacturer or retailer of boats."

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

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

34 a. ~~Is a five-axle combination with a gross weight of no more than~~
 35 ~~90,000 pounds, a single axle weight of no more than 22,000~~
 36 ~~pounds, a tandem axle weight of no more than 42,000 pounds,~~
 37 ~~and a length of at least 51 feet between the first and last axles of~~
 38 ~~the combination.~~Is hauling agricultural crops from the farm
 39 where the crop is grown to the closest market.

40 b. Repealed by Session Laws 1993 (Reg. Sess., 1994), c. 761, s.
 41 13.

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

- 1 c. ~~Is a four axle combination with a gross weight that does not~~
2 ~~exceed the limit set in subdivision (b)(3) of this section, Does~~
3 ~~not exceed~~ a single-axle weight of ~~no more than~~ 22,000 pounds,
4 and a tandem-axle weight of ~~no more than~~ 42,000
5 ~~pounds.~~ pounds, or a gross weight of twelve and five-tenths
6 percent (12.5%) in excess of the axle weight limits allowed in
7 subsection (b)(3) of this section."

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

9 "(k) From September 1 through March 1 of each year, a vehicle which is equipped
10 with a self-loading bed and which is designed and used exclusively to transport
11 compressed seed cotton from the farm to a cotton gin may operate on the highways of
12 the State, except interstate highways, with a tandem-axle weight not exceeding ~~44,000~~
13 50,000 pounds. Such vehicles shall be exempt from light-traffic road limitations only
14 from point of origin on the light-traffic road to the nearest State-maintained road which
15 is not posted to prohibit the transportation of statutory load limits. This exemption does
16 not apply to restricted, posted bridge structures."

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

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

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

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