

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

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**HOUSE BILL 1399
Committee Substitute Favorable 6/28/06**

Short Title: Various Transportation/M.V. Law Changes.

(Public)

Sponsors:

Referred to:

April 21, 2005

A BILL TO BE ENTITLED

AN ACT TO MAKE CHANGES TO THE MOTOR VEHICLE LAWS CONCERNING WEIGHING OF WOOD RESIDUALS AND EXEMPTION FROM REGISTRATION FOR CERTAIN AGRICULTURAL VEHICLES, AND TO AUTHORIZE AGREEMENTS BETWEEN THE DEPARTMENT OF TRANSPORTATION AND LOCAL GOVERNMENTS TO EXPEDITE TRANSPORTATION PROJECTS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-118(c)(15) reads as rewritten:

"(c) Exceptions. – The following exceptions apply to G.S. 20-118(b) and 20-118(e).

...

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

- a. Is hauling wood residuals, including wood chips, sawdust, mulch, or tree ~~bark, bark from any site;~~ or is transporting bulk soil, bulk rock, sand, sand rock, or asphalt millings from a site that does not have a certified scale for weighing the vehicle.
- b. Does not operate on an interstate highway, a posted light-traffic road, or a posted bridge.
- c. Does not exceed a maximum gross weight 4,000 pounds in excess of what is allowed in subsection (b) of this section.
- d. Does not exceed a single-axle weight of more than 22,000 pounds and a tandem-axle weight of more than 42,000 pounds.

..."

SECTION 2. G.S. 20-51(6) reads as rewritten:

"(6) Any trailer or semitrailer attached to and drawn by a properly licensed motor vehicle when used by a farmer, his tenant, agent, or employee in

1 transporting unginced cotton, peanuts, soybeans, corn, hay, tobacco,
2 silage, cucumbers, ~~potatoes, potatoes,~~ all vegetables, fruits, greenhouse
3 and nursery plants and flowers, Christmas trees, fertilizers or
4 chemicals purchased or owned by the farmer or tenant for personal use
5 in implementing husbandry, irrigation pipes, loaders, or equipment
6 owned by the farmer or tenant from place to place on the same farm,
7 from one farm to another, from farm to gin, from farm to dryer, or
8 from farm to market, and when not operated on a for-hire basis. The
9 term "transporting" as used herein shall include the actual hauling of
10 said products and all unloaded travel in connection therewith."

11 **SECTION 3.** Chapter 136 of the General Statutes is amended by adding a
12 new section to read:

13 **"§ 136-66.8 Agreements with units of local government to expedite projects.**

14 (a) Agreements Authorized. – The Department of Transportation may enter into
15 agreements with units of local government for the purpose of expediting transportation
16 projects currently programmed in the Transportation Improvement Plan.

17 (b) Form of Agreements. – The agreements affected by this section shall be
18 between the Department of Transportation and units of local government. The
19 agreements may authorize units of local government to construct projects scheduled in
20 the Transportation Improvement Plan more than two years from the date of the
21 agreement. The units of local government shall fund one hundred percent (100%) of the
22 project at current prices. In a future year, when the project is funded from State and
23 federal sources, the units of local government shall be reimbursed an appropriate share
24 of the funds, at the future programmed project funding amount, as identified and
25 scheduled in the Transportation Improvement Plan.

26 (c) Report. – The Department of Transportation shall report to the Joint
27 Legislative Transportation Oversight Committee by December 1, 2006, on any
28 agreements executed with units of local government pursuant to this section."

29 **SECTION 4.** This act is effective when it becomes law.