

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H

1

HOUSE BILL 388\*

Short Title: Truck Weight Tolerances Limits.

(Public)

---

Sponsors: Representatives Robinson; Barbee, Beall, Berry, Brawley, J. Brown, Buchanan, Carpenter, Church, Cocklereece, Creech, Culp, Dockham, Eddins, Hiatt, Hill, Holmes, R. Hunter, Justus, Kiser, Lee, Lemmond, Linney, Locke, McCombs, McMahan, Mitchell, Morgan, Neely, Pulley, Rayfield, Tallent, Thompson, Weatherly, and Wilkins.

---

Referred to: Transportation.

---

March 8, 1995

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE A LIMITED TOLERANCE FOR EXISTING TRUCK  
3 WEIGHTS.

4 The General Assembly of North Carolina enacts:

5 Section 1. G.S. 20-118(c) is amended by adding a new subdivision to read:

6 "(13) All vehicles may exceed the interior axle-group and maximum weight  
7 limits set forth in subdivision (b)(3) of this section by a tolerance of ten  
8 percent (10%), subject to the axle weight limitations set forth in  
9 subdivisions (b)(1) and (b)(2) of this section and a maximum weight  
10 limit of 80,000 pounds. These exceptions do not apply to restricted,  
11 posted bridge structures or apply to vehicles operating on interstate  
12 highways."

13 Sec. 2. G.S. 20-118(e) reads as rewritten:

14 "(e) Penalties. –

15 (1) Except as provided in subdivision (2) of this subsection, for each  
16 violation of the single-axle or tandem-axle weight limits set in  
17 subdivision (b)(1), (b)(2), or (b)(4) of this section, the Department of

1           Transportation shall assess a civil penalty against the owner or registrant  
2           of the vehicle in accordance with the following schedule: for the first  
3           1,000 pounds or any part thereof, four cents (4¢) per pound; for the next  
4           1,000 pounds or any part thereof, six cents (6¢) per pound; and for each  
5           additional pound, ten cents (10¢) per pound. These penalties apply  
6           separately to each weight limit violated. In all cases of violation of the  
7           weight limitation, the penalty shall be computed and assessed on each  
8           pound of weight in excess of the maximum permitted.

9           (2)    The penalty for a violation of the single-axle or tandem-axle weight  
10           limits by a vehicle that is transporting an item listed in subdivision  
11           (c)(5) of this section is one-half of the amount it would otherwise be  
12           under subdivision (1) of this subsection.

13           (3)    Except as provided in subdivision (4) of this subsection, for a violation  
14           of an axle-group weight limit set in subdivision (b)(3) of this section,  
15           the Department of Transportation shall assess a civil penalty against the  
16           owner or registrant of the motor vehicle in accordance with the  
17           following schedule: for the first 2,000 pounds or any part thereof, two  
18           cents (2¢) per pound; for the next 3,000 pounds or any part thereof, four  
19           cents (4¢) per pound; for each pound in excess of 5,000 pounds, ten  
20           cents (10¢) per pound. These penalties apply separately to each axle-  
21           group weight limit violated. The penalty shall be assessed on each  
22           pound of weight in excess of the maximum ~~permitted~~permitted,  
23           excluding tolerance.

24           (4)    The penalty for a violation of an axle-group weight limit by a vehicle  
25           that is transporting an item listed in subdivision (c)(5) of this section is  
26           one-half of the amount it would otherwise be under subdivision (3) of  
27           this subsection.

28           (5)    A violation of a weight limit in this section is not punishable under G.S.  
29           20-176."

30           Sec. 3. This act is effective upon ratification.