

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 988

Short Title: Recyclable Haulers Weight Relief.

(Public)

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Sponsors: Senator Rand.

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Referred to: Transportation

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May 4, 1995

A BILL TO BE ENTITLED

AN ACT TO PROVIDE RELIEF FROM THE WEIGHT LIMITATIONS FOR  
RECOVERED MATERIALS HAULERS.

The General Assembly of North Carolina enacts:

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

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

(1) Two consecutive sets of tandem axles may carry a gross weight of 34,000 pounds each without penalty provided the overall distance between the first and last axles of the consecutive sets of tandem axles is 36 feet or more.

(2) When a vehicle is operated in violation of G.S. 20-118(b)(1), 20-118(b)(2), or 20-118(b)(3), but the gross weight of the vehicle or combination of vehicles does not exceed that permitted by G.S. 20-118(b)(3), the owner of the vehicle shall be permitted to shift the load within the vehicle, without penalty, from one axle to another to comply with the weight limits in the following cases:

a. Where the single-axle load exceeds the statutory limits, but does not exceed 21,000 pounds.

b. Where the vehicle or combination of vehicles has tandem axles, but the tandem-axle weight does not exceed 40,000 pounds.

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- 1 (3) When a vehicle is operated in violation of G.S. 20-118(b)(4) the owner  
2 of the vehicle shall be permitted, without penalty, to shift the load  
3 within the vehicle from one axle to another to comply with the weight  
4 limits where the single-axle weight does not exceed the posted limit by  
5 2,500 pounds.
- 6 (4) A truck or other motor vehicle shall be exempt from such light-traffic  
7 road limitations provided for pursuant to G.S. 20-118(b)(4), when  
8 transporting supplies, material or equipment necessary to carry out a  
9 farming operation engaged in the production of meats and agricultural  
10 crops and livestock or poultry by-products or a business engaged in the  
11 harvest or processing of seafood when the destination of such vehicle  
12 and load is located solely upon said light-traffic road.
- 13 (5) The light-traffic road limitations provided for pursuant to subdivision  
14 (b)(4) of this section do not apply to a vehicle while that vehicle is  
15 transporting only the following from its point of origin on a light-traffic  
16 road to the nearest highway that is not a light-traffic road:
- 17 a. Processed or unprocessed seafood from boats or any other point  
18 of origin to a processing plant or a point of further distribution.
- 19 b. Meats or agricultural crop products originating from a farm to  
20 first market.
- 21 c. Unprocessed forest products originating from a farm or from  
22 woodlands to first market.
- 23 d. Livestock or poultry from their point of origin to first market.
- 24 e. Livestock by-products or poultry by-products from their point of  
25 origin to a rendering plant.
- 26 f. Recyclable material from its point of origin to a scrap-processing  
27 facility for processing. As used in this subpart, the terms  
28 'recyclable' and 'processing' have the same meaning as in G.S.  
29 130A-290(a).
- 30 g. Garbage collected by the vehicle from residences—residences,  
31 collection centers, businesses, or garbage dumpsters—~~or recovered~~  
32 materials containers if the vehicle is ~~fully enclosed and is designed~~  
33 operated specifically for collecting, compacting, and or hauling  
34 garbage from residences—residences, collection centers,  
35 businesses, or from garbage dumpsters—~~or recovered materials~~  
36 containers. As used in this subpart, the term 'garbage' does not  
37 include hazardous waste as defined in G.S. 130A-290(a), spent  
38 nuclear fuel regulated under G.S. 20-167.1, low-level radioactive  
39 waste as defined in G.S. 104E-5, or radioactive material as  
40 defined in G.S. 104E-5.
- 41 (6) A truck or other motor vehicle shall be exempt from such light-traffic  
42 road limitations provided by G.S. 20-118(b)(4) when such motor  
43 vehicles are owned, operated by or under contract to a public utility,

1 electric or telephone membership corporation or municipality and such  
2 motor vehicles are used in connection with installation, restoration or  
3 emergency maintenance of utility services.

4 (7) A wrecker may tow a disabled vehicle or combination of vehicles in an  
5 emergency to the nearest feasible point for parking or storage without  
6 being in violation of G.S. 20-118 provided that the wrecker and towed  
7 vehicle or combination of vehicles otherwise meet all requirements of  
8 this section.

9 (8) A firefighting vehicle operated by any member of a municipal or rural  
10 fire department in the performance of his duties, regardless of whether  
11 members of that fire department are paid or voluntary and any vehicle  
12 of a voluntary lifesaving organization, when operated by a member of  
13 that organization while answering an official call shall be exempt from  
14 such light-traffic road limitations provided by G.S. 20-118(b)(4).

15 (9) Repealed by Session Laws 1993 (Reg. Sess., 1994), c. 761, s. 12.

16 (10) Fully enclosed motor vehicles designed specifically for collecting,  
17 compacting ~~and~~ or hauling garbage or recovered materials from  
18 residences, collection centers, businesses, or from garbage ~~dumpsters~~ or  
19 recovered material containers shall, when operating for those purposes,  
20 be allowed a single axle weight not to exceed 23,500 pounds on the  
21 steering axle on vehicles equipped with a boom, or on the rear axle on  
22 vehicles loaded from the rear. This exemption shall not apply to  
23 vehicles transporting hazardous waste as defined in G.S. 130A-  
24 290(a)(8), spent nuclear fuel regulated under G.S. 20-167.1, low-level  
25 radioactive waste as defined in G.S. 104E-5(9a), or radioactive material  
26 as defined in G.S. 104E-5(14).

27 (11) A truck or other motor vehicle shall be exempt for light-traffic road  
28 limitations issued under subdivision (b)(4) of this section when  
29 transporting heating fuel for on-premises use at a destination located on  
30 the light-traffic road.

31 (12) Subsections (b) and (e) of this section do not apply to a vehicle that  
32 meets one of the following descriptions, is hauling agricultural crops  
33 from the farm where they were grown to first market, is within 35 miles  
34 of that farm, and does not exceed its registered weight:

- 35 a. Is a five-axle combination with a gross weight of no more than  
36 88,000 pounds, a single-axle weight of no more than 22,000  
37 pounds, a tandem-axle weight of no more than 42,000 pounds,  
38 and a length of at least 51 feet between the first and last axles of  
39 the combination.
- 40 b. Repealed by Session Laws 1993 (Reg. Sess., 1994), c. 761, s. 13.
- 41 c. Is a four-axle combination with a gross weight that does not  
42 exceed the limit set in subdivision (b)(3) of this section, a single-

1                                    axle weight of no more than 22,000 pounds, and a tandem-axle  
2                                    weight of no more than 42,000 pounds."  
3                    Sec. 2. This act becomes effective October 1, 1995.