

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S

2

SENATE BILL 427
House Committee Substitute Favorable 9/15/98

Short Title: Apple/Xmas Tree Truck Weights.

(Public)

Sponsors:

Referred to:

March 19, 1997

1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW OVERWEIGHT TRUCKS TRANSPORTING APPLES AND
3 CHRISTMAS TREES TO OPERATE ON CERTAIN LIGHT-DUTY ROADS.

4 The General Assembly of North Carolina enacts:

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

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

7 (1) Two consecutive sets of tandem axles may carry a gross weight of
8 34,000 pounds each without penalty provided the overall distance
9 between the first and last axles of the consecutive sets of tandem axles is
10 36 feet or more.

11 (2) When a vehicle is operated in violation of G.S. 20-118(b)(1), 20-
12 118(b)(2), or 20-118(b)(3), but the gross weight of the vehicle or
13 combination of vehicles does not exceed that permitted by G.S. 20-
14 118(b)(3), the owner of the vehicle shall be permitted to shift the load
15 within the vehicle, without penalty, from one axle to another to comply
16 with the weight limits in the following cases:

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

- 1 b. Where the vehicle or combination of vehicles has tandem axles,
2 but the tandem-axle weight does not exceed 40,000 pounds.
- 3 (3) When a vehicle is operated in violation of G.S. 20-118(b)(4) the owner
4 of the vehicle shall be permitted, without penalty, to shift the load
5 within the vehicle from one axle to another to comply with the weight
6 limits where the single-axle weight does not exceed the posted limit by
7 2,500 pounds.
- 8 (4) A truck or other motor vehicle shall be exempt from such light-traffic
9 road limitations provided for pursuant to G.S. 20-118(b)(4), when
10 transporting supplies, material or equipment necessary to carry out a
11 farming operation engaged in the production of meats and agricultural
12 crops and livestock or poultry by-products or a business engaged in the
13 harvest or processing of seafood when the destination of such vehicle
14 and load is located solely upon said light-traffic road.
- 15 (5) The light-traffic road limitations provided for pursuant to subdivision
16 (b)(4) of this section do not apply to a vehicle while that vehicle is
17 transporting only the following from its point of origin on a light-traffic
18 road to the nearest highway that is not a light-traffic road:
- 19 a. Processed or unprocessed seafood transported from boats or any
20 other point of origin to a processing plant or a point of further
21 distribution.
- 22 b. Meats or agricultural crop products transported from a farm to
23 first market.
- 24 c. Forest products originating and transported from a farm or from
25 woodlands to first market without interruption or delay for
26 further packaging or processing after initiating transport.
- 27 d. Livestock or poultry transported from their point of origin to first
28 market.
- 29 e. Livestock by-products or poultry by-products transported from
30 their point of origin to a rendering plant.
- 31 f. Recyclable material transported from its point of origin to a
32 scrap-processing facility for processing. As used in this subpart,
33 the terms "recyclable" and "processing" have the same meaning
34 as in G.S. 130A-290(a).
- 35 g. Garbage collected by the vehicle from residences or garbage
36 dumpsters if the vehicle is fully enclosed and is designed
37 specifically for collecting, compacting, and hauling garbage from
38 residences or from garbage dumpsters. As used in this subpart,
39 the term "garbage" does not include hazardous waste as defined
40 in G.S. 130A-290(a), spent nuclear fuel regulated under G.S. 20-
41 167.1, low-level radioactive waste as defined in G.S. 104E-5, or
42 radioactive material as defined in G.S. 104E-5.
- 43 h. Treated sludge collected from a wastewater treatment facility.

- 1 i. Apples when transported from the orchard to the first processing
2 or packing point.
- 3 j. Trees grown as Christmas trees from the field, farm, stand, or
4 grove to first processing point.
- 5 (6) A truck or other motor vehicle shall be exempt from such light-traffic
6 road limitations provided by G.S. 20-118(b)(4) when such motor
7 vehicles are owned, operated by or under contract to a public utility,
8 electric or telephone membership corporation or municipality and such
9 motor vehicles are used in connection with installation, restoration or
10 emergency maintenance of utility services.
- 11 (7) A wrecker may tow a disabled vehicle or combination of vehicles in an
12 emergency to the nearest feasible point for parking or storage without
13 being in violation of G.S. 20-118 provided that the wrecker and towed
14 vehicle or combination of vehicles otherwise meet all requirements of
15 this section.
- 16 (8) A firefighting vehicle operated by any member of a municipal or rural
17 fire department in the performance of his duties, regardless of whether
18 members of that fire department are paid or voluntary and any vehicle
19 of a voluntary lifesaving organization, when operated by a member of
20 that organization while answering an official call shall be exempt from
21 such light-traffic road limitations provided by G.S. 20-118(b)(4).
- 22 (9) Repealed by Session Laws 1993 (Reg. Sess., 1994), c. 761, s. 12.
- 23 (10) Fully enclosed motor vehicles designed specifically for collecting,
24 compacting and hauling garbage from residences, or from garbage
25 dumpsters shall, when operating for those purposes, be allowed a single
26 axle weight not to exceed 23,500 pounds on the steering axle on
27 vehicles equipped with a boom, or on the rear axle on vehicles loaded
28 from the rear. This exemption shall not apply to vehicles transporting
29 hazardous waste as defined in G.S. 130A-290(a)(8), spent nuclear fuel
30 regulated under G.S. 20-167.1, low-level radioactive waste as defined in
31 G.S. 104E-5(9a), or radioactive material as defined in G.S. 104E-5(14).
- 32 (11) A truck or other motor vehicle shall be exempt for light-traffic road
33 limitations issued under subdivision (b)(4) of this section when
34 transporting heating fuel for on-premises use at a destination located on
35 the light-traffic road.
- 36 (12) Subsections (b) and (e) of this section do not apply to a vehicle that (i) is
37 hauling agricultural crops from the farm where they were grown to first
38 market, (ii) is within 35 miles of that farm, (iii) does not operate on an
39 interstate highway or posted bridge while hauling the crops, and meets
40 one of the following descriptions:
- 41 a. Is a five-axle combination with a gross weight of no more than
42 90,000 pounds, a single-axle weight of no more than 22,000
43 pounds, a tandem-axle weight of no more than 42,000 pounds,

1 and a length of at least 51 feet between the first and last axles of
2 the combination.

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

4 c. Is a four-axle combination with a gross weight that does not
5 exceed the limit set in subdivision (b)(3) of this section, a single-
6 axle weight of no more than 22,000 pounds, and a tandem-axle
7 weight of no more than 42,000 pounds."

8 Section 2. This act is effective when it becomes law.