

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007

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SENATE BILL 1695  
Commerce, Small Business and Entrepreneurship Committee Substitute Adopted  
5/28/08  
Finance Committee Substitute Adopted 6/12/08

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.

39 b. Repealed by Session Laws 1993 (Reg.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

41 b1. Does not operate on an interstate highway or exceed any posted  
 42 bridge weight limits during transportation or hauling of  
 43 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 90,000 pounds."

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

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

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

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

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

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