

GENERAL ASSEMBLY OF NORTH CAROLINA
1985 SESSION

CHAPTER 423
HOUSE BILL 593

AN ACT TO CONFORM NORTH CAROLINA LIMITATIONS ON TANDEM TRAILERS AND SEMITRAILERS WITH FEDERAL STATUTES AND TO MAKE OTHER CHANGES.

The General Assembly of North Carolina enacts:

Section 1. The first sentence of G.S. 20-115.1(a) is amended by adding immediately after the words "Interstate System" the words "(except those exempted by the United States Secretary of Transportation pursuant to 49 USC 2311(i))".

Sec. 2. The second sentence of G.S. 20-115.1(a) is amended by deleting "within a sixty-five (65) foot overall length" and substituting "permitted by this section for trailers or semitrailers which are twenty-eight (28) feet in length".

Sec. 3. G.S. 20-115.1(b) is amended by adding immediately after the words "Interstate highways" the words "(except those exempted by the United States Secretary of Transportation pursuant to 49 USC 2311(i))" and is further amended by adding immediately after the word "Federal-aid" the words "Primary System".

Sec. 4. G.S. 20-115.1(c) is rewritten to read:

"(c) Motor vehicles with a width not exceeding one hundred and two (102) inches may be operated on the Interstate highways (except those exempted by the United States Secretary of Transportation pursuant to 49 USC 2316(e)) and other qualifying Federal-aid highways designated by the United States Secretary of Transportation, with traffic lanes designed to be a width of twelve (12) feet or more and any other qualifying Federal-aid Primary System highway designated by the United States Secretary of Transportation if the Secretary has determined that the designation is consistent with highway safety."

Sec. 5. G.S. 20-115.1(d) is amended by adding immediately after the words "Interstate System" the words "(except those exempted by the United States Secretary of Transportation pursuant to 49 USC 2311(i))".

Sec. 6. The first sentence of G.S. 20-115.1(f) is rewritten to read:

"(f) Motor vehicle combinations operating pursuant to this section shall have reasonable access between (i) highways on the Interstate System (except those exempted by the United States Secretary of Transportation pursuant to 49 USC 2311(i) and 49 USC 2316(e)) and other qualifying Federal-aid highways as designated by the United States Secretary of Transportation and (ii) terminals, facilities for food, fuel, repairs, and rest and points of loading and unloading by household goods carriers and by any truck tractor-semitrailer combination in which the semitrailer has a length not to exceed twenty-eight and one-half (28 1/2) feet and a width not to exceed one hundred

two (102) inches as provided in subsection (c) of this section and which generally operates as part of a vehicle combination described in subsection (a) of this section. The North Carolina Department of Transportation may, on streets and highways on the State Highway System, and any municipality may, on streets and highways on the Municipal Street System, impose reasonable restrictions based on safety considerations on any truck tractor-semitrailer combination in which the semitrailer has a length not to exceed twenty-eight and one-half (28 1/2) feet and which generally operates as part of a vehicle combination described in subsection (a) of this section."

Sec. 7. G.S. 20-115.1 is amended by adding a new subsection to read:

"(g) Under certain conditions, and after consultation with the Joint Legislative Commission on Governmental Operations, the North Carolina Department of Transportation may designate State highway system roads in addition to those highways designated by the United States Secretary of Transportation for use by the vehicle combinations authorized in this section. Such designations by the Department shall only be made under the following conditions:

- (1) a determination of the public convenience and need for such designation;
- (2) a traffic engineering study which clearly shows the road proposed to be designated can safely accommodate and has sufficient capacity to handle these vehicle combinations; and
- (3) a public hearing is held or the opportunity for a public hearing is provided in each county through which the designated highway passes, after two weeks notice posted at the courthouse and published in a newspaper of general circulation in each county through which the designated State highway system road passes, and consideration is given to the comments received prior to the designation.

No portion of the State highway system within municipal corporate limits may be designated by the Department without concurrence by the municipal governing body. Also, the Department may not designate any portion of the State highway system that has been deleted or exempted by the United States Secretary of Transportation based on safety considerations. For the purpose of this section, any highway designated by the Department shall be deemed to be the same as a Federal-aid primary highway designated by the United States Secretary of Transportation pursuant to 49 USC 2311 and 49 USC 2316, and the vehicle combinations authorized in this section shall be permitted to operate on such highway."

Sec. 8. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 19th day of June, 1985.