

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 447

Short Title: Fuel Trucks on Light Duty Roads.

(Public)

Sponsors: Senator Daughtry.

Referred to: Transportation.

April 1, 1991

A BILL TO BE ENTITLED

AN ACT TO PERMIT VEHICLES TRANSPORTING HEATING FUEL TO EXCEED LIMITS ON LIGHT-TRAFFIC ROADS.

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 such consecutive sets of tandem axles is 36 feet or more. Tank trailers, dump trailers, and ocean going transport containers on two consecutive sets of tandem axles may carry a gross weight of 34,000 pounds each without penalty provided the overall distance between the second and the fifth axles of such consecutive sets of tandem axles is 30 feet or more. The exception for tank trailers, dump trailers, and ocean transport containers shall expire August 31, 1988.

(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:

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- 1 a. Where the single-axle load exceeds the statutory limits, but  
2 does not exceed 21,000 pounds.
- 3 b. Where the vehicle or combination of vehicles has tandem axles,  
4 but the tandem-axle weight does not exceed 40,000 pounds.
- 5 (3) When a vehicle is operated in violation of G.S. 20-118(b)(4) the owner  
6 of the vehicle shall be permitted, without penalty, to shift the load  
7 within the vehicle from one axle to another to comply with the weight  
8 limits where the single-axle weight does not exceed the posted limit by  
9 2,500 pounds.
- 10 (4) A truck or other motor vehicle shall be exempt from such light-traffic  
11 road limitations provided for pursuant to G.S. 20-118(b)(4), when  
12 transporting supplies, material or equipment necessary to carry out a  
13 farming operation engaged in the production of meats and agricultural  
14 crops and livestock or poultry by-products or a business engaged in the  
15 harvest or processing of seafood when the destination of such vehicle  
16 and load is located solely upon said light-traffic road.
- 17 (5) A truck or other motor vehicle shall be exempt from such light-traffic  
18 road limitations provided for pursuant to G.S. 20-118(b)(4), when  
19 transporting processed and unprocessed seafood from boats or any  
20 other point of origin, meats and agricultural crop products originating  
21 from a farm, or forest products originating from a farm or from  
22 woodlands, or livestock or poultry by-products from point of origin, on  
23 a light-traffic road to the nearest State maintained road which is not  
24 posted to prohibit the transportation of statutory load limits.
- 25 (6) A truck or other motor vehicle shall be exempt from such light-traffic  
26 road limitations provided by G.S. 20-118(b)(4) when such motor  
27 vehicles are owned, operated by or under contract to a public utility,  
28 electric or telephone membership corporation or municipality and such  
29 motor vehicles are used in connection with installation, restoration or  
30 emergency maintenance of utility services.
- 31 (7) A wrecker may tow a disabled vehicle or combination of vehicles in an  
32 emergency to the nearest feasible point for parking or storage without  
33 being in violation of G.S. 20-118 provided that the wrecker and towed  
34 vehicle or combination of vehicles otherwise meet all requirements of  
35 this section.
- 36 (8) A firefighting vehicle operated by any member of a municipal or rural  
37 fire department in the performance of his duties, regardless of whether  
38 members of that fire department are paid or voluntary and any vehicle  
39 of a voluntary lifesaving organization, when operated by a member of  
40 that organization while answering an official call shall be exempt from  
41 such light-traffic road limitations provided by G.S. 20-118(b)(4).
- 42 (9) Fully enclosed motor vehicles designed specifically for collecting,  
43 compacting and hauling garbage from residences or from garbage  
44 dumpsters shall, when operating for those purposes, be exempt from

1 the light-traffic road limitation as provided by G.S. 20-118(b)(4). This  
2 exemption shall not apply to vehicles transporting hazardous waste as  
3 defined in G.S. 130A-290(5), spent nuclear fuel regulated under G.S.  
4 20-167.1, low-level radioactive waste as defined in G.S. 104E-5(9a),  
5 or radioactive material as defined in G.S. 104E-5(14).

6 (10) Fully enclosed motor vehicles designed specifically for collecting,  
7 compacting and hauling garbage from residences, or from garbage  
8 dumpsters shall, when operating for those purposes, be allowed a  
9 single axle weight not to exceed 23,500 pounds on the steering axle on  
10 vehicles equipped with a boom, or on the rear axle on vehicles loaded  
11 from the rear. This exemption shall not apply to vehicles transporting  
12 hazardous waste as defined in G.S. 130A-290(5), spent nuclear fuel  
13 regulated under G.S. 20-167.1, low-level radioactive waste as defined  
14 in G.S. 104E-5(9a), or radioactive material as defined in G.S. 104E-  
15 5(14).

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

20 Sec. 2. This act is effective upon ratification.