

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 1027

Short Title: Farm CDL Amendments.

(Public)

Sponsors: Senators Speed; Parnell, Albertson, Soles, Walker, Seymour, Cooper, Kerr, Allran, Forrester, Cochrane, Smith, Lee, and Edwards.

Referred to: Transportation.

May 4, 1993

A BILL TO BE ENTITLED

1 AN ACT TO ALLOW THE DIVISION OF MOTOR VEHICLES TO ISSUE
2 RESTRICTED COMMERCIAL DRIVERS LICENSES TO SEASONAL
3 DRIVERS FOR CERTAIN FARM-RELATED SERVICES INDUSTRIES.

4 The General Assembly of North Carolina enacts:

5 Section 1. G.S. 20-37.13 is amended by adding a new subsection to read:

6 "(c1) The Division may waive the knowledge and skill testing requirements for
7 applicants who are seasonal employees of custom harvesters, farm retail outlets and
8 suppliers, agri-chemical businesses, or livestock feeders as defined and permitted by the
9 Commissioner. All other requirements of this Article shall apply to persons applying
10 for and issued a commercial drivers license under this subsection. In addition, the
11 following restrictions shall apply to licenses issued pursuant to this subsection:
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13 (1) An applicant who has more than two years experience as a driver with
14 any class of drivers license shall certify that during the two-year period
15 immediately prior to applying, he:

16 a. Has not had more than one license, except during the 10-day
17 period beginning on the date he is issued a drivers license;

18 b. Has not had any licenses suspended, revoked, or cancelled;

19 c. Has not had any conviction for any type of motor vehicle for
20 any of the disqualifying offenses listed in G.S. 20-17.4;

21 d. Has not had more than one conviction for any type of motor
22 vehicle for serious traffic violations; and

1 e. Has not had any conviction for a violation of State or local laws
2 relating to motor vehicle traffic control, other than a parking
3 violation, which arose in connection with any reportable traffic
4 accident, and has no record of an accident in which he was at
5 fault.

6 An applicant with one or two years of experience driving with any
7 class of drivers license shall make the same certification for his entire
8 driving history. A license shall not be issued under this subsection to
9 an applicant who has not held any motor vehicle drivers license for at
10 least one year. The Division shall confirm the applicant's driving
11 record through a check of the Commercial Drivers License
12 Information System prior to issuing a license under this subsection.

13 (2) The licenses shall have the same renewal cycle as other commercial
14 drivers licenses; provided, operation of commercial motor vehicles
15 shall be limited to the seasonal period or periods as approved by the
16 Commissioner; provided further, the total number of calendar days in
17 any 12-month period for which the licensee is authorized to operate a
18 commercial motor vehicle shall not exceed 180 days. The license is
19 valid for operation of a commercial motor vehicle during the currently
20 approved season only, and must be revalidated for each successive
21 season. The good driving record must be confirmed prior to any
22 renewal or revalidation.

23 (3) A license issued under this subsection authorizes the licensee to
24 operate Class B and Class C commercial motor vehicles during the
25 approved season only.

26 (4) Licenses issued under this subsection shall not authorize the licensee
27 to operate a vehicle transporting hazardous materials requiring the
28 vehicle to be placarded in accordance with 49 C.F.R. Part 172, Subpart
29 F, except the licensee may drive a vehicle transporting:

30 a. Diesel fuel in quantities of 1,000 gallons or less;

31 b. Liquid fertilizers to be used as plant nutrients in a vehicle or
32 implement of husbandry with a total capacity of 3,000 gallons
33 or less; and

34 c. Solid plant nutrients that are not transported with any organic
35 substance.

36 (5) Licenseses shall be authorized to operate a commercial motor vehicle
37 within 150 miles of the place of business or the farm being served."

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