

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 331

Short Title: Truck Weight Tolerances Limits.

(Public)

Sponsors: Senators Hoyle, Plyler, Martin of Pitt, Conder, Hobbs, Odom, Dannelly, Kerr, Forrester, and Davis.

Referred to: Transportation

March 8, 1995

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE A LIMITED TOLERANCE FOR EXISTING TRUCK
3 WEIGHTS.

4 The General Assembly of North Carolina enacts:

5 Section 1. G.S. 20-118(c) is amended by adding a new subdivision to read:

6 "(13) All vehicles may exceed the interior axle-group and maximum weight
7 limits set forth in subdivision (b)(3) of this section by a tolerance of ten
8 percent (10%), subject to the axle weight limitations set forth in
9 subdivisions (b)(1) and (b)(2) of this section and a maximum weight
10 limit of 80,000 pounds. These exceptions do not apply to restricted,
11 posted bridge structures or apply to vehicles operating on interstate
12 highways."

13 Sec. 2. G.S. 20-118(e) reads as rewritten:

14 "(e) Penalties. –

15 (1) Except as provided in subdivision (2) of this subsection, for each
16 violation of the single-axle or tandem-axle weight limits set in
17 subdivision (b)(1), (b)(2), or (b)(4) of this section, the Department of
18 Transportation shall assess a civil penalty against the owner or registrant
19 of the vehicle in accordance with the following schedule: for the first

- 1 1,000 pounds or any part thereof, four cents (4¢) per pound; for the next
2 1,000 pounds or any part thereof, six cents (6¢) per pound; and for each
3 additional pound, ten cents (10¢) per pound. These penalties apply
4 separately to each weight limit violated. In all cases of violation of the
5 weight limitation, the penalty shall be computed and assessed on each
6 pound of weight in excess of the maximum permitted.
- 7 (2) The penalty for a violation of the single-axle or tandem-axle weight
8 limits by a vehicle that is transporting an item listed in subdivision
9 (c)(5) of this section is one-half of the amount it would otherwise be
10 under subdivision (1) of this subsection.
- 11 (3) Except as provided in subdivision (4) of this subsection, for a violation
12 of an axle-group weight limit set in subdivision (b)(3) of this section,
13 the Department of Transportation shall assess a civil penalty against the
14 owner or registrant of the motor vehicle in accordance with the
15 following schedule: for the first 2,000 pounds or any part thereof, two
16 cents (2¢) per pound; for the next 3,000 pounds or any part thereof, four
17 cents (4¢) per pound; for each pound in excess of 5,000 pounds, ten
18 cents (10¢) per pound. These penalties apply separately to each axle-
19 group weight limit violated. The penalty shall be assessed on each
20 pound of weight in excess of the maximum ~~permitted~~ permitted,
21 excluding tolerance.
- 22 (4) The penalty for a violation of an axle-group weight limit by a vehicle
23 that is transporting an item listed in subdivision (c)(5) of this section is
24 one-half of the amount it would otherwise be under subdivision (3) of
25 this subsection.
- 26 (5) A violation of a weight limit in this section is not punishable under G.S.
27 20-176."
- 28 Sec. 3. This act is effective upon ratification.