

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 988  
House Committee Substitute Favorable 6/8/95

Short Title: Recyc. Haulers Wt. Relief/RV Trailers.

(Public)

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Sponsors:

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Referred to:

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May 4, 1995

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE RELIEF FROM THE WEIGHT LIMITATIONS FOR  
3 RECOVERED MATERIALS HAULERS AND TO EXTEND THE ALLOWABLE  
4 LENGTH FOR RECREATIONAL VEHICLES WITH TWO AXLES.

5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 20-118(c) reads as rewritten:

7 "(c) Exceptions. – The following exceptions apply to G.S. 20-118(b) and 20-118(e).

8 (1) Two consecutive sets of tandem axles may carry a gross weight of  
9 34,000 pounds each without penalty provided the overall distance  
10 between the first and last axles of the consecutive sets of tandem axles is  
11 36 feet or more.

12 (2) When a vehicle is operated in violation of G.S. 20-118(b)(1), 20-  
13 118(b)(2), or 20-118(b)(3), but the gross weight of the vehicle or  
14 combination of vehicles does not exceed that permitted by G.S. 20-  
15 118(b)(3), the owner of the vehicle shall be permitted to shift the load  
16 within the vehicle, without penalty, from one axle to another to comply  
17 with the weight limits in the following cases:

18 a. Where the single-axle load exceeds the statutory limits, but does  
19 not exceed 21,000 pounds.

- 1           b.       Where the vehicle or combination of vehicles has tandem axles,  
2                   but the tandem-axle weight does not exceed 40,000 pounds.
- 3       (3)       When a vehicle is operated in violation of G.S. 20-118(b)(4) the owner  
4           of the vehicle shall be permitted, without penalty, to shift the load  
5           within the vehicle from one axle to another to comply with the weight  
6           limits where the single-axle weight does not exceed the posted limit by  
7           2,500 pounds.
- 8       (4)       A truck or other motor vehicle shall be exempt from such light-traffic  
9           road limitations provided for pursuant to G.S. 20-118(b)(4), when  
10          transporting supplies, material or equipment necessary to carry out a  
11          farming operation engaged in the production of meats and agricultural  
12          crops and livestock or poultry by-products or a business engaged in the  
13          harvest or processing of seafood when the destination of such vehicle  
14          and load is located solely upon said light-traffic road.
- 15       (5)       The light-traffic road limitations provided for pursuant to subdivision  
16           (b)(4) of this section do not apply to a vehicle while that vehicle is  
17           transporting only the following from its point of origin on a light-traffic  
18           road to the nearest highway that is not a light-traffic road:
- 19           a.       Processed or unprocessed seafood from boats or any other point  
20                   of origin to a processing plant or a point of further distribution.
- 21           b.       Meats or agricultural crop products originating from a farm to  
22                   first market.
- 23           c.       Unprocessed forest products originating from a farm or from  
24                   woodlands to first market.
- 25           d.       Livestock or poultry from their point of origin to first market.
- 26           e.       Livestock by-products or poultry by-products from their point of  
27                   origin to a rendering plant.
- 28           f.       Recyclable material from its point of origin to a scrap-processing  
29                   facility for processing. As used in this subpart, the terms  
30                   'recyclable' and 'processing' have the same meaning as in G.S.  
31                   130A-290(a).
- 32           g.       Garbage or recovered materials collected by the vehicle from  
33                   ~~residences~~ residences, collection centers, businesses, or garbage  
34                   ~~dumpsters~~ or recovered materials containers if the vehicle is ~~fully~~  
35                   ~~enclosed and is designed~~ operated specifically for collecting,  
36                   compacting, ~~and or~~ hauling garbage from ~~residences~~ residences,  
37                   collection centers, businesses, or from garbage dumpsters ~~or~~  
38                   recovered materials containers. As used in this subpart, the term  
39                   'garbage' does not include hazardous waste as defined in G.S.  
40                   130A-290(a), spent nuclear fuel regulated under G.S. 20-167.1,  
41                   low-level radioactive waste as defined in G.S. 104E-5, or  
42                   radioactive material as defined in G.S. 104E-5.

- 1 (6) A truck or other motor vehicle shall be exempt from such light-traffic  
2 road limitations provided by G.S. 20-118(b)(4) when such motor  
3 vehicles are owned, operated by or under contract to a public utility,  
4 electric or telephone membership corporation or municipality and such  
5 motor vehicles are used in connection with installation, restoration or  
6 emergency maintenance of utility services.
- 7 (7) A wrecker may tow a disabled vehicle or combination of vehicles in an  
8 emergency to the nearest feasible point for parking or storage without  
9 being in violation of G.S. 20-118 provided that the wrecker and towed  
10 vehicle or combination of vehicles otherwise meet all requirements of  
11 this section.
- 12 (8) A firefighting vehicle operated by any member of a municipal or rural  
13 fire department in the performance of his duties, regardless of whether  
14 members of that fire department are paid or voluntary and any vehicle  
15 of a voluntary lifesaving organization, when operated by a member of  
16 that organization while answering an official call shall be exempt from  
17 such light-traffic road limitations provided by G.S. 20-118(b)(4).
- 18 (9) Repealed by Session Laws 1993 (Reg. Sess., 1994), c. 761, s. 12.
- 19 (10) ~~Fully enclosed motor~~ Motor vehicles designed specifically for collecting,  
20 compacting ~~and or~~ hauling garbage or recovered materials from  
21 residences, collection centers, businesses, or from garbage dumpsters or  
22 recovered material containers shall, when operating for those purposes,  
23 be allowed a single axle weight not to exceed 23,500 pounds on the  
24 steering axle on vehicles equipped with a boom, or on the rear axle on  
25 vehicles loaded from the rear. This exemption shall not apply to  
26 vehicles transporting hazardous waste as defined in G.S. 130A-  
27 290(a)(8), spent nuclear fuel regulated under G.S. 20-167.1, low-level  
28 radioactive waste as defined in G.S. 104E-5(9a), or radioactive material  
29 as defined in G.S. 104E-5(14).
- 30 (11) A truck or other motor vehicle shall be exempt for light-traffic road  
31 limitations issued under subdivision (b)(4) of this section when  
32 transporting heating fuel for on-premises use at a destination located on  
33 the light-traffic road.
- 34 (12) Subsections (b) and (e) of this section do not apply to a vehicle that  
35 meets one of the following descriptions, is hauling agricultural crops  
36 from the farm where they were grown to first market, is within 35 miles  
37 of that farm, and does not exceed its registered weight:
- 38 a. Is a five-axle combination with a gross weight of no more than  
39 88,000 pounds, a single-axle weight of no more than 22,000  
40 pounds, a tandem-axle weight of no more than 42,000 pounds,  
41 and a length of at least 51 feet between the first and last axles of  
42 the combination.
- 43 b. Repealed by Session Laws 1993 (Reg. Sess., 1994), c. 761, s. 13.

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, a single-  
3                             axle weight of no more than 22,000 pounds, and a tandem-axle  
4                             weight of no more than 42,000 pounds."

5                   Sec. 2. G.S. 20-116(d) reads as rewritten:

6                   "(d)   A single vehicle having two axles shall not exceed 35 feet in length of extreme  
7                   overall dimensions inclusive of front and rear bumpers.  Provided, however, a ~~bus~~bus,  
8                   house trailer, or motor home with two axles shall not exceed 40 feet in length overall of  
9                   dimensions inclusive of front and rear bumpers.  A single vehicle having three axles shall  
10                   not exceed 40 feet in length overall of dimensions inclusive of front and rear bumpers.  
11                   Provided, further, trucks transporting unprocessed cotton from farm to gin shall not  
12                   exceed 48 feet in length overall of dimensions inclusive of front and rear bumpers.  A  
13                   truck-tractor and semitrailer shall be regarded as two vehicles for the purpose of  
14                   determining lawful length and license taxes."

15                   Sec. 3. This act becomes effective October 1, 1995.