

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 503

Short Title: Farm CDL Amendments.

(Public)

Sponsors: Senators Speed, Soles, Kerr, Hoyle, Martin of Pitt, and Albertson.

Referred to: Transportation

March 28, 1995

A BILL TO BE ENTITLED

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

The General Assembly of North Carolina enacts:

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

"(c1) The Division may waive the knowledge and skill testing requirements for applicants who are seasonal employees of custom harvesters, farm retail outlets and suppliers, agri-chemical businesses, or livestock feeders as defined and permitted by the Commissioner. All other requirements of this Article shall apply to persons applying for and issued a commercial drivers license under this subsection. In addition, the following restrictions shall apply to licenses issued pursuant to this subsection:

(1) An applicant who has more than two years experience as a driver with any class of drivers license shall certify that during the two-year period immediately prior to applying, he:

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

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

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

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

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

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

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

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

- 32 a. Diesel fuel in quantities of 1,000 gallons or less;
33 b. Liquid fertilizers to be used as plant nutrients in a vehicle or
34 implement of husbandry with a total capacity of 3,000 gallons or
35 less; and
36 c. Solid plant nutrients that are not transported with any organic
37 substance.

- 38 (5) Licenses shall be authorized to operate a commercial motor vehicle
39 within 150 miles of the place of business or the farm being served."

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