

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

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**SENATE BILL 832
Judiciary I Committee Substitute Adopted 5/31/05**

Short Title: Wreckers/Travel Mileage.

(Public)

Sponsors:

Referred to:

March 23, 2005

A BILL TO BE ENTITLED

AN ACT TO ALLOW WRECKERS TO TAKE DISABLED VEHICLES UP TO FIFTY MILES FOR REPAIR, PARKING, OR STORAGE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-118 reads as rewritten:

"§ 20-118. Weight of vehicles and load.

(a) For the purposes of this section, the following definitions shall apply:

(1) Single-axle weight. – The gross weight transmitted by all wheels whose centers may be included between two parallel transverse vertical planes 40 inches apart, extending across the full width of the vehicle.

(2) Tandem-axle weight. – The gross weight transmitted to the road by two or more consecutive axles whose centers may be included between parallel vertical planes spaced more than 40 inches and not more than 96 inches apart, extending across the full width of the vehicle.

(3) Axle group. – Any two or more consecutive axles on a vehicle or combination of vehicles.

(4) Gross weight. – The weight of any single axle, tandem axle, or axle group of a vehicle or combination of vehicles plus the weight of any load thereon.

(5) Light-traffic roads. – Any highway on the State Highway System, excepting routes designated I, U.S. or N.C., posted by the Department of Transportation to limit the axle weight below the statutory limits.

(b) The following weight limitations shall apply to vehicles operating on the highways of the State:

(1) The single-axle weight of a vehicle or combination of vehicles shall not exceed 20,000 pounds.

(2) The tandem-axle weight of a vehicle or combination of vehicles shall not exceed 38,000 pounds.

1 (3) The gross weight imposed upon the highway by any axle group of a
 2 vehicle or combination of vehicles shall not exceed the maximum
 3 weight given for the respective distance between the first and last axle
 4 of the group of axles measured longitudinally to the nearest foot as set
 5 forth in the following table:

6 Distance	Maximum Weight in Pounds for any Group of Two						
7 Between	or More Consecutive Axles						
8 Axles*	2 Axles	3 Axles	4 Axles	5 Axles	6 Axles	7 Axles	
9 4	38000						
10 5	38000						
11 6	38000						
12 7	38000						
13 8 or less	38000	38000					
14 more than 8	38000	42000					
15 9	39000	42500					
16 10	40000	43500					
17 11		44000					
18 12		45000	50000				
19 13		45500	50500				
20 14		46500	51500				
21 15		47000	52000				
22 16		48000	52500	58000			
23 17		48500	53500	58500			
24 18		49500	54000	59000			
25 19		50000	54500	60000			
26 20		51000	55500	60500	66000		
27 21		51500	56000	61000	66500		
28 22		52500	56500	61500	67000		
29 23		53000	57500	62500	68000		
30 24		54000	58000	63000	68500	74000	
31 25		54500	58500	63500	69000	74500	
32 26		55500	59500	64000	69500	75000	
33 27		56000	60000	65000	70000	75500	
34 28		57000	60500	65500	71000	76500	
35 29		57500	61500	66000	71500	77000	
36 30		58500	62000	66500	72000	77500	
37 31		59000	62500	67500	72500	78000	
38 32		60000	63500	68000	73000	78500	
39 33			64000	68500	74000	79000	
40 34			64500	69000	74500	80000	
41 35			65500	70000	75000		
42 36			66000**	70500	75500		
43 37			66500**	71000	76000		
44 38			67500**	72000	77000		

1	39	68000	72500	77500
2	40	68500	73000	78000
3	41	69500	73500	78500
4	42	70000	74000	79000
5	43	70500	75000	80000
6	44	71500	75500	
7	45	72000	76000	
8	46	72500	76500	
9	47	73500	77500	
10	48	74000	78000	
11	49	74500	78500	
12	50	75500	79000	
13	51	76000	80000	
14	52	76500		
15	53	77500		
16	54	78000		
17	55	78500		
18	56	79500		
19	57	80000		

20 * Distance in Feet Between the Extremes of any Group of Two or More Consecutive
 21 Axles.

22 ** See exception in G.S. 20-118(c)(1).

23 (4) The Department of Transportation may establish light-traffic roads and
 24 further restrict the axle weight limit on such light-traffic roads lower
 25 than the statutory limits. The Department of Transportation shall have
 26 authority to designate any highway on the State Highway System,
 27 excluding routes designated by I, U.S. and N.C., as a light-traffic road
 28 when in the opinion of the Department of Transportation, such road is
 29 inadequate to carry and will be injuriously affected by vehicles using
 30 the said road carrying the maximum axle weight. All such roads so
 31 designated shall be conspicuously posted as light-traffic roads and the
 32 maximum axle weight authorized shall be displayed on proper signs
 33 erected thereon.

34 (c) Exceptions. – The following exceptions apply to G.S. 20-118(b) and
 35 20-118(e).

36 ...

37 (7) A wrecker may tow ~~a~~any disabled truck or other motor vehicle or
 38 combination of vehicles ~~in an emergency to a place for repairs, the~~
 39 ~~nearest feasible point for parking~~parking, or storage within 50 miles
 40 from the point that the vehicle was disabled and may tow a truck,
 41 tractor, or other replacement vehicle to the site of the disabled vehicle
 42 without being in violation of G.S. 20-118 provided that the wrecker
 43 and towed vehicle or combination of vehicles otherwise meet all
 44 requirements of this section.

1 "

2 **SECTION 2.** G.S. 20-116(e) reads as rewritten:

3 "(e) Except as provided by G.S. 20-115.1, no combination of vehicles coupled
4 together shall consist of more than two units and no such combination of vehicles shall
5 exceed a total length of 60 feet inclusive of front and rear bumpers, subject to the
6 following exceptions: Said length limitation shall not apply to vehicles operated in the
7 daytime when transporting poles, pipe, machinery or other objects of a structural nature
8 which cannot readily be dismembered, nor to such vehicles transporting such objects
9 operated at nighttime by a public utility when required for emergency repair of public
10 service facilities or properties, but in respect to such night transportation every such
11 vehicle and the load thereon shall be equipped with a sufficient number of clearance
12 lamps on both sides and marker lamps upon the extreme ends of said projecting load to
13 clearly mark the dimensions of such load: Provided that vehicles designed and used
14 exclusively for the transportation of motor vehicles shall be permitted an overhang
15 tolerance front or rear not to exceed five feet. Provided, that wreckers ~~in an emergency~~
16 may tow a truck, combination tractor and trailer-trailer, trailer, or any other disabled
17 vehicle or combination of vehicles to a place for to the nearest feasible point for repair
18 and/or storage; repair, parking, or storage within 50 miles of the point where the vehicle
19 was disabled and may tow a truck, tractor, or other replacement vehicle to the site of the
20 disabled vehicle. Provided, however, that a combination of a house trailer used as a
21 mobile home, together with its towing vehicle, shall not exceed a total length of 55 feet
22 exclusive of front and rear bumpers. Provided further, that the said limitation that no
23 combination of vehicles coupled together shall consist of more than two units shall not
24 apply to trailers not exceeding three in number drawn by a motor vehicle used by
25 municipalities for the removal of domestic and commercial refuse and street rubbish,
26 but such combination of vehicles shall not exceed a total length of 50 feet inclusive of
27 front and rear bumpers. Provided further, that the said limitation that no combination of
28 vehicles coupled together shall consist of more than two units shall not apply to a
29 combination of vehicles coupled together by a saddle mount device used to transport
30 motor vehicles in a driveway service when no more than three saddle mounts are used
31 and provided further, that equipment used in said combination is approved by the safety
32 regulations of the Federal Highway Administration and the safety rules of the
33 Department of Crime Control and Public Safety."

34 **SECTION 3.** This act is effective when it becomes law.