

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007**

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**SENATE BILL 1695  
Commerce, Small Business and Entrepreneurship Committee Substitute Adopted  
5/28/08  
Finance Committee Substitute Adopted 6/12/08  
Fourth Edition Engrossed 6/17/08  
House Committee Substitute Favorable 6/26/08**

Short Title: Vehicle Size and Weight Changes.

(Public)

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Sponsors:

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Referred to:

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May 21, 2008

A BILL TO BE ENTITLED

1 AN ACT TO AUTHORIZE PERSONS EIGHTEEN YEARS OF AGE OR OLDER  
2 WHO HOLD A CLASS C LICENSE TO OPERATE SPECIFIED VEHICLE  
3 COMBINATIONS; TO CLARIFY THE OPERATION OF VEHICLES WITH  
4 FARMER LICENSE PLATES; TO ELIMINATE MUNICIPAL CONCURRENCE  
5 FOR DESIGNATION OF CERTAIN TRUCK ROUTES; TO PROVIDE THAT  
6 FIFTY-THREE-FOOT SEMITRAILERS MAY OPERATE ON PRIMARY  
7 HIGHWAYS; TO PROVIDE THAT COMBINES UP TO TWENTY-FIVE FEET  
8 IN WIDTH MAY BE OPERATED ON SPECIFIED HIGHWAYS; TO CHANGE  
9 THE WIDTH LIMITS AND AUTHORIZED TIME OF OPERATION FOR  
10 TOWED BOAT TRAILERS; TO INCREASE SPECIFIED WEIGHT LIMITS FOR  
11 VEHICLES HAULING AGRICULTURAL CROPS AND COMPRESSED SEED  
12 COTTON; AND TO MODIFY THE WEIGHT EXCEPTION FOR VEHICLES  
13 TRANSPORTING RAW LOGS TO FIRST MARKET, AS RECOMMENDED BY  
14 THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.  
15

16 The General Assembly of North Carolina enacts:

17 **SECTION 1.** G.S. 20-7(a)(3) reads as rewritten:

18 "(3) Class C. – A Class C license authorizes the holder to drive any of the  
19 following:

- 20 a. A Class C motor vehicle that is not a commercial motor vehicle.  
21 b. When operated by a volunteer member of a fire department, a  
22 rescue squad, or an emergency medical service (EMS) in the  
23 performance of duty, a Class A or Class B fire-fighting, rescue,  
24 or EMS motor vehicle or a combination of these vehicles.

1 c. A combination of noncommercial motor vehicles that have a  
2 GVWR of more than 10,000 pounds but less than 26,001  
3 pounds. This sub-subdivision does not apply to a Class C  
4 license holder less than 18 years of age."

5 **SECTION 2.** G.S. 20-88(b)(3) reads as rewritten:

6 "(3) License plates issued at the farmer rate shall be placed upon trucks and  
7 truck-tractors that are operated ~~exclusively in the~~ for the primary  
8 purpose of carrying or transportation-transporting of the applicant's  
9 farm products, raised or produced on ~~his~~ the applicant's farm, and farm  
10 ~~supplies~~ supplies. The license plates shall not be used on a vehicle ~~and~~  
11 ~~not~~ operated in hauling for hire."

12 **SECTION 3.** G.S. 20-115.1(g) reads as rewritten:

13 "(g) Under certain conditions, and after consultation with the Joint Legislative  
14 Commission on Governmental Operations, the North Carolina Department of  
15 Transportation may designate State highway system roads in addition to those highways  
16 designated by the United States Secretary of Transportation for use by the vehicle  
17 combinations authorized in this section. Such designations by the Department shall only  
18 be made under the following conditions:

- 19 (1) A determination of the public convenience and need for such  
20 designation;
- 21 (2) A traffic engineering study which clearly shows the road proposed to  
22 be designated can safely accommodate and has sufficient capacity to  
23 handle these vehicle combinations; and
- 24 (3) A public hearing is held or the opportunity for a public hearing is  
25 provided in each county through which the designated highway passes,  
26 after two weeks notice posted at the courthouse and published in a  
27 newspaper of general circulation in each county through which the  
28 designated State highway system road passes, and consideration is  
29 given to the comments received prior to the designation.
- 30 (4) The Department may designate routes for one particular type of STAA  
31 (Surface Transportation Assistance Act) dimensioned vehicle when  
32 significant, substantial differences in their operating characteristics  
33 exist.

34 ~~No portion of the State highway system within municipal corporate limits may be~~  
35 ~~designated by the Department without concurrence by the municipal governing body.~~  
36 ~~Also, the~~ The Department may not designate any portion of the State highway system  
37 that has been deleted or exempted by the United States Secretary of Transportation  
38 based on safety considerations. For the purpose of this section, any highway designated  
39 by the Department shall be deemed to be the same as a federal-aid primary highway  
40 designated by the United States Secretary of Transportation pursuant to 49 USC 2311  
41 and 49 USC 2316, and the vehicle combinations authorized in this section shall be  
42 permitted to operate on such highway."

43 **SECTION 4.** G.S. 20-115.1(b) reads as rewritten:

1       "(b) Motor vehicle combinations consisting of a semitrailer of not more than 53  
2 feet in length and a truck tractor may be operated on ~~the interstate highways (except~~  
3 ~~those exempted by the United States Secretary of Transportation pursuant to 49 U.S.C.~~  
4 ~~2311(i)) and federal aid primary system highways designated by the United States~~  
5 ~~Secretary of Transportation~~ all primary highway routes of North Carolina provided  
6 that the motor vehicle combination meets the requirements of this subsection. The  
7 Department may, after submitting a written report to the Joint Legislative  
8 Transportation Oversight Committee, prohibit a motor vehicle combination on portions  
9 of a primary route or other State route if it can clearly show through traffic engineering  
10 studies that the operation of a motor vehicle combination on that route cannot be safely  
11 accommodated and that the route does not have sufficient capacity to handle the vehicle  
12 combination. To operate on a primary highway route, a motor vehicle combination  
13 described in this subsection must meet all of the following requirements:

14       (1) ~~Any~~ The motor vehicle combination must comply with the weight  
15 requirements in G.S. 20-118.

16       (2) A semitrailer in excess of 48 feet in length shall not be permitted  
17 unless must meet one or more of the following conditions:

18       a. The distance between the kingpin of the trailer and the rearmost  
19 axle, or a point midway between the two rear axles, if the two  
20 rear axles are a tandem axle, does not exceed 41 ~~feet; or~~ feet.

21       b. The semitrailer is used exclusively or primarily to transport  
22 vehicles in connection with motorsports competition events,  
23 and the distance between the kingpin of the trailer and the  
24 rearmost axle, or a point midway between the two rear axles, if  
25 the two rear axles are a tandem axle, does not exceed 46 ~~feet;~~  
26 feet. and

27       ~~(2)(3) Any~~ A semitrailer in excess of 48 feet is must be equipped with a rear  
28 underride guard of substantial construction consisting of a continuous  
29 lateral beam extending to within four inches of the lateral extremities  
30 of the semitrailer and located not more than 30 inches from the surface  
31 as measured with the vehicle empty and on a level surface."

32       **SECTION 5.** G.S. 20-116(e) reads as rewritten:

33       "(e) Except as provided by G.S. 20-115.1, no combination of vehicles coupled  
34 together shall consist of more than two units and no such combination of vehicles shall  
35 exceed a total length of 60 feet inclusive of front and rear bumpers, subject to the  
36 following exceptions: Motor vehicle combinations of one semitrailer of not more than  
37 ~~48-53~~ feet in length and a truck tractor (power unit) may exceed the 60-foot maximum  
38 length. Said length limitation shall not apply to vehicles operated in the daytime when  
39 transporting poles, pipe, machinery or other objects of a structural nature which cannot  
40 readily be dismembered, nor to such vehicles transporting such objects operated at  
41 nighttime by a public utility when required for emergency repair of public service  
42 facilities or properties, but in respect to such night transportation every such vehicle and  
43 the load thereon shall be equipped with a sufficient number of clearance lamps on both  
44 sides and marker lamps upon the extreme ends of said projecting load to clearly mark

1 the dimensions of such load: Provided that vehicles designed and used exclusively for  
2 the transportation of motor vehicles shall be permitted an overhang tolerance front or  
3 rear not to exceed five feet. Provided, that wreckers may tow a truck, combination  
4 tractor and trailer, trailer, or any other disabled vehicle or combination of vehicles to a  
5 place for repair, parking, or storage within 50 miles of the point where the vehicle was  
6 disabled and may tow a truck, tractor, or other replacement vehicle to the site of the  
7 disabled vehicle. Provided, however, that a combination of a house trailer used as a  
8 mobile home, together with its towing vehicle, shall not exceed a total length of 55 feet  
9 exclusive of front and rear bumpers. Provided further, that the said limitation that no  
10 combination of vehicles coupled together shall consist of more than two units shall not  
11 apply to trailers not exceeding three in number drawn by a motor vehicle used by  
12 municipalities for the removal of domestic and commercial refuse and street rubbish,  
13 but such combination of vehicles shall not exceed a total length of 50 feet inclusive of  
14 front and rear bumpers. Provided further, that the said limitation that no combination of  
15 vehicles coupled together shall consist of more than two units shall not apply to a  
16 combination of vehicles coupled together by a saddle mount device used to transport  
17 motor vehicles in a driveway service when no more than three saddle mounts are used  
18 and provided further, that equipment used in said combination is approved by the safety  
19 regulations of the Federal Highway Administration and the safety rules of the  
20 Department of Crime Control and Public Safety."

21 **SECTION 6.** G.S. 20-116(j) reads as rewritten:

22 "(j) Nothing in this section shall be construed to prevent the operation of  
23 Self-propelled self-propelled grain combines or other farm equipment self-propelled,  
24 pulled-pulled, or otherwise, not exceeding 18-25 feet in width may be operated on any  
25 highway, except a highway or section of highway that is a fully controlled access  
26 highway or is a part of the National System of Interstate and Defense Highways. Farm  
27 equipment includes a vehicle that is designed exclusively to transport compressed seed  
28 cotton from a farm to a gin and has a self-loading bed. All such combines Combines or  
29 equipment which exceed 10 feet in width may be so-operated only if they meet all of  
30 under the following conditions: conditions listed in this subsection. A violation of one or  
31 more of these conditions does not constitute negligence per se.

32 (1) ~~Said-The~~ equipment may only be so-operated during daylight hours.

33 (2) ~~Said-The~~ equipment must display a red flag on front and rear, ~~said~~ rear  
34 ends. The flags shall not be smaller than three feet wide and four feet  
35 long and belong. The flags shall be attached to a stick, pole, staff, etc.,  
36 not less than four feet long and they shall be so-attached to said-the  
37 equipment as to be visible from both directions at all times while being  
38 operated on the public highway for not less than 300 feet.

39 (3) Equipment covered by this section, which by necessity must travel  
40 more than 10 miles or where by nature of the terrain or obstacles the  
41 flags referred to in subdivision (2) of this subsection are not visible  
42 from both directions for 300 feet at any point along the proposed route,  
43 must be preceded at a distance of 300 feet and followed at a distance  
44 of 300 feet by a flagman in a vehicle having mounted thereon an

1 appropriate warning light or flag. No flagman in a vehicle shall be  
 2 required pursuant to this subdivision if the equipment is being moved  
 3 under its own power or on a trailer from any field to another field, or  
 4 from the normal place of storage of the vehicle to any field, for no  
 5 more than ten miles and if visible from both directions for 300 feet at  
 6 any point along the proposed route.

7 (4) Every ~~such~~ piece of equipment so operated shall operate to the right of  
 8 the center line when meeting traffic coming from the opposite  
 9 direction and at all other times when possible and practical.

10 ~~(5) Violation of this section shall not constitute negligence per se.~~

11 (6) When ~~said~~the equipment is causing a delay in traffic, the operator of  
 12 ~~said~~the equipment shall move the equipment off the paved portion of  
 13 the highway at the nearest practical location until the vehicles  
 14 following ~~said~~the equipment have passed.

15 (7) The equipment shall be operated in the designed transport position that  
 16 minimizes equipment width. No removal of equipment or  
 17 appurtenances is required under this subdivision."

18 **SECTION 7.** G.S. 20-116 is amended by adding a new subsection to read:

19 "§ 20-116. **Size of vehicles and loads.**

20 ...

21 (m) Notwithstanding subsection (a) of this section, a boat or boat trailer with an  
 22 outside width of less than 120 inches may be towed without a permit. The towing of a  
 23 boat or boat trailer less than 120 inches in width may take place on any day of the week,  
 24 including weekends and holidays, and may take place at night so long as there is an  
 25 operating light harness, with at least one light on each side, attached at the widest part of  
 26 the combination. With a properly issued permit, the towing of a boat or boat trailer 120  
 27 inches or more in width may take place on any day of the week, including weekends  
 28 and holidays, but shall not take place at night."

29 **SECTION 8.** G.S. 20-118(c)(12) reads as rewritten:

30 "(12) Subsections (b) and (e) of this section do not apply to a vehicle that (i)  
 31 ~~is hauling agricultural crops from the farm where they were grown to~~  
 32 ~~first market, (ii) is within 35 miles of that farm, (iii) does not operate~~  
 33 ~~on an interstate highway or posted bridge while hauling the crops, and~~  
 34 ~~meets one of the following descriptions:~~meets all of the conditions set  
 35 out below:

36 a. ~~Is a five axle combination with a gross weight of no more than~~  
 37 ~~90,000 pounds, a single axle weight of no more than 22,000~~  
 38 ~~pounds, a tandem axle weight of no more than 42,000 pounds,~~  
 39 ~~and a length of at least 51 feet between the first and last axles of~~  
 40 ~~the combination.~~Is hauling agricultural crops from the farm  
 41 where the crop is grown to the closest market.

42 b. Repealed by Session Laws 1993 (Reg. Sess., 1994), c. 761, s.  
 43 13.

- b1. Does not operate on an interstate highway or exceed any posted bridge weight limits during transportation or hauling of agricultural products.
- c. ~~Is a four-axle combination with a gross weight that does not exceed the limit set in subdivision (b)(3) of this section,~~Does not exceed a single-axle weight of no more than 22,000 pounds, and a tandem-axle weight of no more than 42,000 pounds.pounds, or a gross weight of twelve and five-tenths percent (12.5%) in excess of the axle weight limits allowed in subdivision (b)(3) of this section."

**SECTION 9.** G.S. 20-118(k) reads as rewritten:

"(k) From September 1 through March 1 of each year, a vehicle which is equipped with a self-loading bed and which is designed and used exclusively to transport compressed seed cotton from the farm to a cotton gin may operate on the highways of the State, except interstate highways, with a tandem-axle weight not exceeding 44,000 50,000 pounds. Such vehicles shall be exempt from light-traffic road limitations only from point of origin on the light-traffic road to the nearest State-maintained road which is not posted to prohibit the transportation of statutory load limits. This exemption does not apply to restricted, posted bridge structures."

**SECTION 10.** G.S. 20-118(c)(15) reads as rewritten:

"(15) Subsections (b) and (e) of this section do not apply to a vehicle or vehicle combination that meets all of the conditions below, but all other enforcement provisions of this Article remain applicable:

- a. Is hauling wood residuals, including wood chips, sawdust, mulch, or tree bark from any site; is hauling raw logs to first market; or is transporting bulk soil, bulk rock, sand, sand rock, or asphalt millings from a site that does not have a certified scale for weighing the vehicle.
- b. Does not operate on an interstate highway, a posted light-traffic road, except as provided by subdivision (c)(5) of this section, or a posted bridge.
- c. Does not exceed a maximum gross weight 4,000 pounds in excess of what is allowed in subsection (b) of this section.
- d. Does not exceed a single-axle weight of more than 22,000 pounds and a tandem-axle weight of more than 42,000 pounds."

**SECTION 11.** This act is effective when it becomes law.