

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007**

**SENATE BILL 738
RATIFIED BILL**

AN ACT TO EXEMPT FOR-HIRE VEHICLES USED FOR CERTAIN AGRICULTURAL PURPOSES FROM THE VEHICLE REGISTRATION REQUIREMENTS, TO INCREASE THE ALLOWED LENGTH OF TRUCKS THAT TRANSPORT COTTON, AND TO CLARIFY THAT FARM EQUIPMENT INCLUDES TRUCKS THAT TRANSPORT COTTON.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-51 is amended by adding a new subdivision to read:

"§ 20-51. Exempt from registration.

The following shall be exempt from the requirement of registration and certificate of title:

- (16) A vehicle that meets all of the following:
- a. Is an agricultural spreader vehicle. An 'agricultural spreader vehicle' is a vehicle that is designed for off-highway use on a farm to spread fertilizer, seed, lime, or other agricultural products on a field.
 - b. Is driven on the highway only for the purpose of going from the location of its supply source for fertilizer or other products to and from a farm.
 - c. Does not exceed a speed of 35 miles per hour.
 - d. Does not drive outside a radius of 50 miles from the location of its supply source for fertilizer and other products.
 - e. Is driven by a person who has a license appropriate for the class of the vehicle.
 - f. Is insured under a motor vehicle liability policy in the amount required under G.S. 20-309.
 - g. Displays a valid federal safety inspection decal if the vehicle has a gross vehicle weight rating of at least 10,001 pounds."

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

"(d) **Maximum Length.** – The following maximum lengths apply to vehicles. A truck-tractor and semitrailer shall be regarded as two vehicles for the purpose of determining lawful length and license taxes.

- (1) Except as otherwise provided in this subsection, a single vehicle having two or three axles shall not exceed 40 feet in length overall of dimensions inclusive of front and rear bumpers.
- (2) Trucks transporting unprocessed cotton from farm to gin shall not exceed 4850 feet in length overall of dimensions inclusive of front and rear bumpers.
- (3) Recreational vehicles shall not exceed 45 feet in length overall, excluding bumpers and mirrors."

SECTION 3. G.S. 20-116(j) reads as rewritten:

"(j) Self-propelled grain combines or other farm equipment self-propelled, pulled or otherwise, not exceeding 18 feet in width may be operated on any highway, except a highway or section of highway that is a part of the National System of Interstate and

Defense Highways: Highways. Farm equipment includes a vehicle that is designed exclusively to transport compressed seed cotton from a farm to a gin and has a self-loading bed. Provided that all such combines or equipment which exceed 10 feet in width may be so operated only under the following conditions:

- (1) Said equipment may only be so operated during daylight ~~hours; and~~ hours.
- (2) Said equipment must display a red flag on front and rear, said flags shall not be smaller than three feet wide and four feet long and be attached to a stick, pole, staff, etc., not less than four feet long and shall be so attached to said equipment as to be visible from both directions at all times while being operated on the public highway for not less than 300 ~~feet; and~~ feet.
- (3) Equipment covered by this section, which by necessity must travel more than 10 miles or where by nature of the terrain or obstacles the flags referred to in subdivision (2) are not visible from both directions for 300 feet at any point along the proposed route, must be preceded at a distance of 300 feet and followed at a distance of 300 feet by a flagman in a vehicle having mounted thereon an appropriate warning light or flag. No flagman in a vehicle shall be required pursuant to this subdivision if the equipment is being moved under its own power or on a trailer from any field to another field, or from the normal place of storage of the vehicle to any field, for no more than ten miles and if visible from both directions for 300 feet at any point along the proposed route.
- (4) Every such piece of equipment so operated shall operate to the right of the center line when meeting traffic coming from the opposite direction and at all other times when possible and practical.
- (5) Violation of this section shall not constitute negligence per se.
- (6) When said equipment is causing a delay in traffic, the operator of said equipment shall move the equipment off the paved portion of the highway at the nearest practical location until the vehicles following said equipment have passed."

SECTION 4. This act becomes effective July 1, 2007.
In the General Assembly read three times and ratified this the 29th day of
June, 2007.

Marc Basnight
President Pro Tempore of the Senate

Joe Hackney
Speaker of the House of Representatives

Michael F. Easley
Governor

Approved _____m. this _____ day of _____, 2007