

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 2009**

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**HOUSE DRH70235-MA-319A\* (3/12)**

Short Title: Motor Vehicle Size and Weight Law Changes.

(Public)

Sponsors: Representative Cole.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO RESTRICT THE OVERALL LENGTH OF A SINGLE VEHICLE WITH TWO OR MORE AXLES TO FORTY FEET, TO RESTRICT THE OVERALL LENGTH OF VEHICLES TRANSPORTING POLES FOR EMERGENCY REPAIR TO FIFTY-THREE FEET, AND TO MAKE CERTAIN FARM VEHICLES BE SELF-PROPELLED.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 20-116 reads as rewritten:

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

(a) The total outside width of any vehicle or the load thereon shall not exceed 102 inches, except as otherwise provided in this section. When hogsheads of tobacco are being transported, a tolerance of six inches is allowed. When sheet or bale tobacco is being transported the load must not exceed a width of 114 inches at the top of the load and the bottom of the load at the truck bed must not exceed the width of 102 inches inclusive of allowance for load shifting or settling. Vehicles (other than passenger buses) that do not exceed the overall width of 102 inches and otherwise provided in this section may be operated in accordance with G.S. 20-115.1(c), (f), and (g).

(b) No passenger-type vehicle or recreational vehicle shall be operated on any highway with any load carried thereon extending beyond the line of the fenders on the left side of such vehicle nor extending more than six inches beyond the line of the fenders on the right side thereof.

(c) No vehicle, unladen or with load, shall exceed a height of 13 feet, six inches. Provided, however, that neither the State of North Carolina nor any agency or subdivision thereof, nor any person, firm or corporation, shall be required to raise, alter, construct or reconstruct any underpass, wire, pole, trestle, or other structure to permit the passage of any vehicle having a height, unladen or with load, in excess of 12 feet, six inches. Provided further, that the operator or owner of any vehicle having an overall height, whether unladen or with load, in excess of 12 feet, six inches, shall be liable for damage to any structure caused by such vehicle having a height in excess of 12 feet, six inches.

(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 more~~ axles shall not exceed 40 feet in length overall of dimensions inclusive of front and rear bumpers.



- 1           (2) Trucks transporting unprocessed cotton from farm to gin shall not exceed 50  
2 feet in length overall of dimensions inclusive of front and rear bumpers.
- 3           (3) Recreational vehicles shall not exceed 45 feet in length overall, excluding  
4 bumpers and mirrors.

5           (e) Except as provided by G.S. 20-115.1, no combination of vehicles coupled together  
6 shall consist of more than two units and no such combination of vehicles shall exceed a total  
7 length of 60 feet inclusive of front and rear bumpers, subject to the following exceptions:  
8 Motor vehicle combinations of one semitrailer of not more than 53 feet in length and a truck  
9 tractor (power unit) may exceed the 60-foot maximum length. Said maximum overall length  
10 limitation shall not apply to vehicles operated in the daytime when transporting poles, pipe,  
11 machinery or other objects of a structural nature which cannot readily be dismembered, nor to  
12 such vehicles transporting such objects operated at nighttime by a public utility when required  
13 for emergency repair of public service facilities or ~~properties~~, properties, provided the trailer  
14 length does not exceed 53 feet in length, but in respect to such night transportation every such  
15 vehicle and the load thereon shall be equipped with a sufficient number of clearance lamps on  
16 both sides and marker lamps upon the extreme ends of said projecting load to clearly mark the  
17 dimensions of such load: Provided that vehicles designed and used exclusively for the  
18 transportation of motor vehicles shall be permitted an overhang tolerance front or rear not to  
19 exceed five feet. Provided, that wreckers may tow a truck, combination tractor and trailer,  
20 trailer, or any other disabled vehicle or combination of vehicles to a place for repair, parking, or  
21 storage within 50 miles of the point where the vehicle was disabled and may tow a truck,  
22 tractor, or other replacement vehicle to the site of the disabled vehicle. ~~Provided, however, that~~  
23 ~~a combination of a house trailer used as a mobile home, together with its towing vehicle, shall~~  
24 ~~not exceed a total length of 55 feet exclusive of front and rear bumpers.~~ Provided further, that  
25 the said limitation that no combination of vehicles coupled together shall consist of more than  
26 two units shall not apply to trailers not exceeding three in number drawn by a motor vehicle  
27 used by municipalities for the removal of domestic and commercial refuse and street rubbish,  
28 but such combination of vehicles shall not exceed a total length of 50 feet inclusive of front and  
29 rear bumpers. Provided further, that the said limitation that no combination of vehicles coupled  
30 together shall consist of more than two units shall not apply to a combination of vehicles  
31 coupled together by a saddle mount device used to transport motor vehicles in a driveway  
32 service when no more than three saddle mounts are used and provided further, that equipment  
33 used in said combination is approved by the safety regulations of the Federal Highway  
34 Administration and the safety rules of the Department of Crime Control and Public Safety.

35           (f) The load upon any vehicle operated alone, or the load upon the front vehicle of a  
36 combination of vehicles, shall not extend more than three feet beyond the foremost part of the  
37 vehicle. Under this subsection "load" shall include the boom on a self-propelled vehicle.

38           A utility pole carried by a self-propelled pole carrier may extend beyond the front overhang  
39 limit set in this subsection if the pole cannot be dismembered, the pole is less than 80 feet in  
40 length and does not extend more than 10 feet beyond the front bumper of the vehicle, and either  
41 of the following circumstances apply:

- 42           (1) It is daytime and the front of the extending load of poles is marked by a flag  
43 of the type required by G.S. 20-117 for certain rear overhangs.
- 44           (2) It is nighttime, operation of the vehicle is required to make emergency  
45 repairs to utility service, and the front of the extending load of poles is  
46 marked by a light of the type required by G.S. 20-117 for certain rear  
47 overhangs.

48           As used in this subsection, a "self-propelled pole carrier" is a vehicle designed to carry a  
49 pole on the side of the vehicle at a height of at least five feet when measured from the bottom  
50 of the brace used to carry the pole. A self-propelled pole carrier may not tow another vehicle  
51 when carrying a pole that extends beyond the front overhang limit set in this subsection.

- 1 (g) (1) No vehicle shall be driven or moved on any highway unless the vehicle is  
2 constructed and loaded to prevent any of its load from falling, blowing,  
3 dropping, sifting, leaking, or otherwise escaping therefrom, and the vehicle  
4 shall not contain any holes, cracks, or openings through which any of its  
5 load may escape. However, sand may be dropped for the purpose of securing  
6 traction, or water or other substance may be sprinkled, dumped, or spread on  
7 a roadway in cleaning or maintaining the roadway. For purposes of this  
8 subsection, load does not include water accumulated from precipitation.
- 9 (2) A truck, trailer, or other vehicle licensed for more than 7,500 pounds gross  
10 vehicle weight that is loaded with rock, gravel, stone, or any other similar  
11 substance, other than sand, that could fall, blow, leak, sift, or drop shall not  
12 be driven or moved on any highway unless:
- 13 a. The height of the load against all four walls does not extend above a  
14 horizontal line six inches below their tops when loaded at the loading  
15 point; and
- 16 b. The load is securely covered by tarpaulin or some other suitable  
17 covering to prevent any of its load from falling, dropping, sifting,  
18 leaking, blowing, or otherwise escaping therefrom.
- 19 (3) A truck, trailer, or other vehicle:
- 20 a. Licensed for any gross vehicle weight and loaded with sand; or  
21 b. Licensed for 7,500 pounds or less gross vehicle weight and loaded  
22 with rock, gravel, stone, or any other similar substance that could  
23 fall, blow, leak, sift, or drop;
- 24 shall not be driven or moved on any highway unless:
- 25 a. The height of the load against all four walls does not extend above a  
26 horizontal line six inches below the top when loaded at the loading  
27 point;
- 28 b. The load is securely covered by tarpaulin or some other suitable  
29 covering; or
- 30 c. The vehicle is constructed to prevent any of its load from falling,  
31 dropping, sifting, leaking, blowing, or otherwise escaping therefrom.
- 32 (4) This section shall not be applicable to or in any manner restrict the  
33 transportation of seed cotton, poultry or livestock, or silage or other feed  
34 grain used in the feeding of poultry or livestock.
- 35 (h) Whenever there exist two highways of the State highway system of approximately  
36 the same distance between two or more points, the Department of Transportation may, when in  
37 the opinion of the Department of Transportation, based upon engineering and traffic  
38 investigation, safety will be promoted or the public interest will be served, designate one of the  
39 highways the "truck route" between those points, and to prohibit the use of the other highway  
40 by heavy trucks or other vehicles of a gross vehicle weight or axle load limit in excess of a  
41 designated maximum. In such instances the highways selected for heavy vehicle traffic shall be  
42 designated as "truck routes" by signs conspicuously posted, and the highways upon which  
43 heavy vehicle traffic is prohibited shall likewise be designated by signs conspicuously posted  
44 showing the maximum gross vehicle weight or axle load limits authorized for those highways.  
45 The operation of any vehicle whose gross vehicle weight or axle load exceeds the maximum  
46 limits shown on signs over the posted highway shall constitute a Class 2 misdemeanor:  
47 Provided, that nothing in this subsection shall prohibit a truck or other motor vehicle whose  
48 gross vehicle weight or axle load exceeds that prescribed for those highways from using them  
49 when its destination is located solely upon that highway, road or street: Provided, further, that  
50 nothing in this subsection shall prohibit passenger vehicles or other light vehicles from using  
51 any highways designated for heavy truck traffic.

1 (i) Repealed by Session Laws 1973, c. 1330, s. 39.

2 (j) Nothing in this section shall be construed to prevent the operation of self-propelled  
3 grain combines or other farm equipment self-propelled, ~~pulled, or otherwise,~~ not exceeding 25  
4 feet in width on any highway, except a highway or section of highway that is a fully controlled  
5 access highway or is a part of the National System of Interstate and Defense Highways. Farm  
6 equipment includes a vehicle that is designed exclusively to transport compressed seed cotton  
7 from a farm to a gin and has a self-loading bed. Combines or equipment which exceed 10 feet  
8 in width may be operated only if they meet all of the conditions listed in this subsection. A  
9 violation of one or more of these conditions does not constitute negligence per se.

10 (1) The equipment may only be operated during daylight hours.

11 (2) The equipment must display a red flag on front and rear ends. The flags shall  
12 not be smaller than three feet wide and four feet long. The flags shall be  
13 attached to a stick, pole, staff, etc., not less than four feet long and they shall  
14 be attached to the equipment as to be visible from both directions at all times  
15 while being operated on the public highway for not less than 300 feet.

16 (3) Equipment covered by this section, which by necessity must travel more  
17 than 10 miles or where by nature of the terrain or obstacles the flags referred  
18 to in subdivision (2) of this subsection are not visible from both directions  
19 for 300 feet at any point along the proposed route, must be preceded at a  
20 distance of 300 feet and followed at a distance of 300 feet by a flagman in a  
21 vehicle having mounted thereon an appropriate warning light or flag. No  
22 flagman in a vehicle shall be required pursuant to this subdivision if the  
23 equipment is being moved under its own power or on a trailer from any field  
24 to another field, or from the normal place of storage of the vehicle to any  
25 field, for no more than ten miles and if visible from both directions for 300  
26 feet at any point along the proposed route.

27 (4) Every piece of equipment so operated shall operate to the right of the center  
28 line when meeting traffic coming from the opposite direction and at all other  
29 times when possible and practical.

30 (5) Repealed by Session Laws 2008-221, s. 6, effective September 1, 2008.

31 (6) When the equipment is causing a delay in traffic, the operator of the  
32 equipment shall move the equipment off the paved portion of the highway at  
33 the nearest practical location until the vehicles following the equipment have  
34 passed.

35 (7) The equipment shall be operated in the designed transport position that  
36 minimizes equipment width. No removal of equipment or appurtenances is  
37 required under this subdivision.

38 (k) Nothing in this section shall be construed to prevent the operation of passenger  
39 buses having an overall width of 102 inches, exclusive of safety equipment, upon the highways  
40 of this State which are 20 feet or wider and that are designated as the State primary system, or  
41 as municipal streets, when, and not until, the federal law and regulations thereunder permit the  
42 operation of passenger buses having a width of 102 inches or wider on the National System of  
43 Interstate and Defense Highways.

44 (l) Nothing in this section shall be construed to prevent the operation of passenger  
45 buses that are owned and operated by units of local government, operated as a single vehicle  
46 only and having an overall length of 45 feet or less, on public streets or highways. The  
47 Department of Transportation may prevent the operation of buses that are authorized under this  
48 subsection if the operation of such buses on a street or highway presents a hazard to passengers  
49 of the buses or to the motoring public.

50 (m) Notwithstanding subsection (a) of this section, a boat or boat trailer with an outside  
51 width of less than 120 inches may be towed without a permit. The towing of a boat or boat

1 trailer 102 inches to 114 inches in width may take place on any day of the week, including  
2 weekends and holidays, and may take place at night. The towing of a boat or boat trailer 114  
3 inches to 120 inches in width may take place on any day of the week, including weekends and  
4 holidays from sun up to sun down. A boat or boat trailer in excess of 102 inches but less than  
5 120 inches must be equipped with a minimum of two operable amber lamps on the widest point  
6 of the boat and the boat trailer such that the dimensions of the boat and the boat trailer are  
7 clearly marked and visible."

8           **SECTION 2.** This act becomes effective December 1, 2009, and applies to  
9 offenses committed on or after that date.