

Penalties

G. S. 20-118

- **The penalties for the following vehicles shall be assessed at ½ the normal Rate:**
 - **Processed or unprocessed seafood transported from boats or any other point of origin to a processing plant or a point of further distribution.**
 - **Meats or agricultural crop products transported from a farm to first market.**
 - **Forest products originating and transported from a farm or from woodlands to first market without interruption or delay for further packaging or processing after initiating transport.**
 - **Livestock or poultry transported from their point of origin to first market.**
 - **Livestock by-products or poultry by-products transported from their point of origin to a rendering plant.**
 - **Apples when transported from the orchard to the first processing or packing point.**
 - **Trees grown as Christmas trees from the field, farm, stand, or grove to first processing point**

Vehicle Markings

➤ G. S. 20-101

- A motor vehicle that is subject to 49 C.F.R. Part 390, the federal motor carrier safety regulations, shall be marked as required by that Part.
- A motor vehicle that is not subject to those regulations, has a gross vehicle weight rating of more than 10,000 pounds, but less than 26,001 pounds, and is used in intrastate commerce, and is not a farm vehicle, as further described in G.S. 20-118 (c)(4), (c)(5), or (c)(12), shall have the name of the owner printed on the side of the vehicle in letters not less than three inches in height.

Vehicles Required to Stop at Weigh Stations

➤ G. S. 20-118.1

- Any person operating a vehicle or a combination of vehicles having a GVWR of 10,001 pounds or more or any vehicle transporting hazardous materials that is required to be placarded under 49 C.F.R. § 171-180 must enter a permanent weigh station or temporary inspection or weigh site as directed by duly erected signs or an electronic transponder for the purpose of being electronically screened for compliance, or weighed, or inspected.

Vehicles Required to Stop at Weigh Stations

- A privately owned noncommercial horse trailer constructed to transport four or fewer horses shall not be required to stop at any permanent weigh station in the State while transporting horses, unless the driver of the vehicle hauling the trailer is directed to stop by a law enforcement officer. A "privately owned noncommercial horse trailer" means a trailer used solely for the occasional transportation of horses and not for compensation or in furtherance of a commercial enterprise.

G.S. 20-118.1 continued



Special Overweight/Size Permits

➤ G. S. 20-119

- Annual Fees do not apply to farm equipment or machinery being used at the time for agricultural purposes
- 1-888-221-8166

Oversize/Overweight Permits

G.S. 20-119

Permits may be issued for loads, which cannot be reasonably divided, dismantled or disassembled, or so loaded to meet legal requirements.



The Permit Unit issues over dimensional permits for qualifying vehicle/vehicle combination to include:

- ◆ width
- ◆ length
- ◆ height
- ◆ weight



- The exemption in G.S. 20-116 for the transportation of farm equipment up to 25' wide only applies to self-propelled farm equipment.
- Farm equipment that exceeds 8'6", which is hauled or pulled with a motor vehicle, must have an oversize permit.
- Permits for a farm truck transporting farm equipment can be obtained at no fee.
- Permits are issued vehicle specific and are not transferrable from vehicle to vehicle.

Annual Permits

12' & 14' wide –

good on all roads in North Carolina

posted roads and bridges must be observed

14' wide – one certified escort is required except when transporting farm equipment from the farm to the dealer or from the dealer to the farm

Single Trip Permits

- Single trip permits can be obtained for vehicles that do not have an annual permit.
- Single trip permits are required for equipment exceeding 14' wide that is being hauled or towed by a motor vehicle.

Permit Restrictions

- Mover must comply with the restrictions of the permit based upon the dimensions stated on permit.
- Travel is authorized Monday – Saturday from sunrise to sunset -- no movement on Sunday.
- Travel is not authorized from noon on the weekday before the holiday until noon on the weekday after the holiday for the following holidays:

Independence Day
Thanksgiving Day
Christmas Day



- Based upon the dimensions, the vehicle may be required to have flags, banners, escorts, etc.

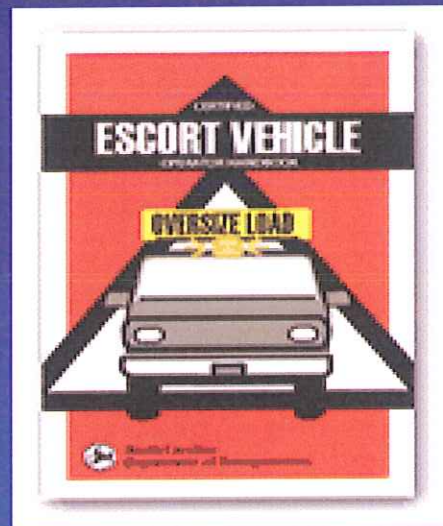


Escort Certification

- All escort vehicle operators are required to obtain an approved certification prior to performing the duties of an oversize/
overweight load escort vehicle operator in North Carolina.
- Operator must attend an 8-hour class offered through the community college system.
- Operator must be 21 years of age or have a Class A CDL driver license.
- Operator must have a valid driver license without restrictions other than for corrective lens.

Escort Certification (cont.)

- Operator's driver license must have been valid for the previous 12 months without conviction of operating in a reckless manner or driving while impaired.
- Certification is valid for 4 years unless revoked.



Contact Information

- www.ncdot.org/~osowpermits
- Annual permit – 1-888-221-8166
- Single Trip permit – 1-888-574-6683

Operation of flat trucks on State highways regulated; trucks hauling leaf tobacco in barrels or hogsheads

➤ G. S. 20-120

- It shall be unlawful for any person, firm or corporation to operate, or have operated on any public highway in the State, any open flat truck loaded with logs, cotton bales, boxes or other load piled on said truck, without having the said load securely fastened on said truck.

Cont.

- It shall be unlawful for any firm, person or corporation to operate or permit to be operated on any highway of this State a truck or trucks on which leaf tobacco in barrels or hogsheads is carried unless each section or tier of such barrels or hogsheads are reasonably securely fastened to such truck or trucks by metal chains or wire cables, or manila or hemp ropes of not less than five-eighths inch in diameter, to hold said barrels or hogsheads in place under any ordinary traffic or road condition: Provided that the provisions of this paragraph shall not apply to any truck or trucks on which the hogsheads or barrels of tobacco are arranged in a single layer, tier, or plane, it being the intent of this paragraph to require the use of metal chains or wire cables only when barrels or hogsheads of tobacco are stacked or piled one upon the other on a truck or trucks. Nothing in this paragraph shall apply to trucks engaged in transporting hogsheads or barrels of tobacco between factories and storage houses of the same company unless such hogsheads or barrels are placed upon the truck in tiers. In the event the hogsheads or barrels of tobacco are placed upon the truck in tiers same shall be securely fastened to the said truck as hereinbefore provided in this paragraph.

G.S. 20-120 cont.

Fuel Tax Registration



- A qualified Vehicle means a motor vehicle used, designed, or maintained for the transportation of persons or property and:
 1. Having two axles and a gross vehicle weight or registered gross vehicle weight exceeding 26,000 pounds or 11,797 kilograms; or
 2. Having three or more axles regardless of weight; or
 3. Is used in combination, when the weight of such combination exceeds 26,000 pounds or 11,797 kilograms gross vehicle or registered gross vehicle weight.
- **Qualified Motor Vehicle** does not include recreational vehicles.
- Farm Vehicles are Not Exempt. **IFTA Manual**
- **Motor Fuels Tax Division - Raleigh: 919-733-3409 or 877-308-9092**

Brakes

G.S. 20-124(e1):

- "(e1) Every motor truck and truck-tractor with semitrailer attached, shall be equipped with brakes acting on all wheels, except trucks and truck-tractors having three or more axles need not have brakes on the front wheels if manufactured prior to July 25, 1980. However, such trucks and truck-tractors must be capable of complying with the performance requirements of G.S. 20-124(e)."

Brakes cont.

- G.S. 20-124(g):
 - "(g) The provisions of this section shall not apply to a trailer when used by a farmer, a farmer's tenant, agent, or employee if the trailer is exempt from registration by the provisions of G.S. 20-51. This exemption does not apply to trailers that are equipped with brakes from the manufacturer and that are manufactured after October 1, 2009."

MAP-21-Farm Vehicle Roadside Inspections



Section 32101

Applies to vehicles transporting Agriculture Commodities and Farm Supplies within 150 miles from source to a retail distribution point or point of distribution.



Section 32934

Applies to commercial motor vehicles registered as Farm Vehicles
Exemption: CDL Driver's License, Drug Screening, Physical
Qualifications, Hours of Service, Inspection, Repair and Maintenance.




MAP-21

Agricultural Exemption – Section 32934


- **Statutory Exemption for covered farm vehicles:**
 - 49 CFR Part 383: Commercial Driver's License Standards; Requirements and Penalties
 - 49 CFR Part 382: Controlled Substances and Alcohol Use and Testing
 - 49 CFR Part 391, Subpart E: Physical Qualifications and Examinations
 - 49 CFR Part 395: Hours of Service
 - 49 CFR Part 396: Inspection, Repair and Maintenance

Covered Farm Vehicle

Must be equipped with a special license plate or other designation by the State in which it is register to allow for identification.

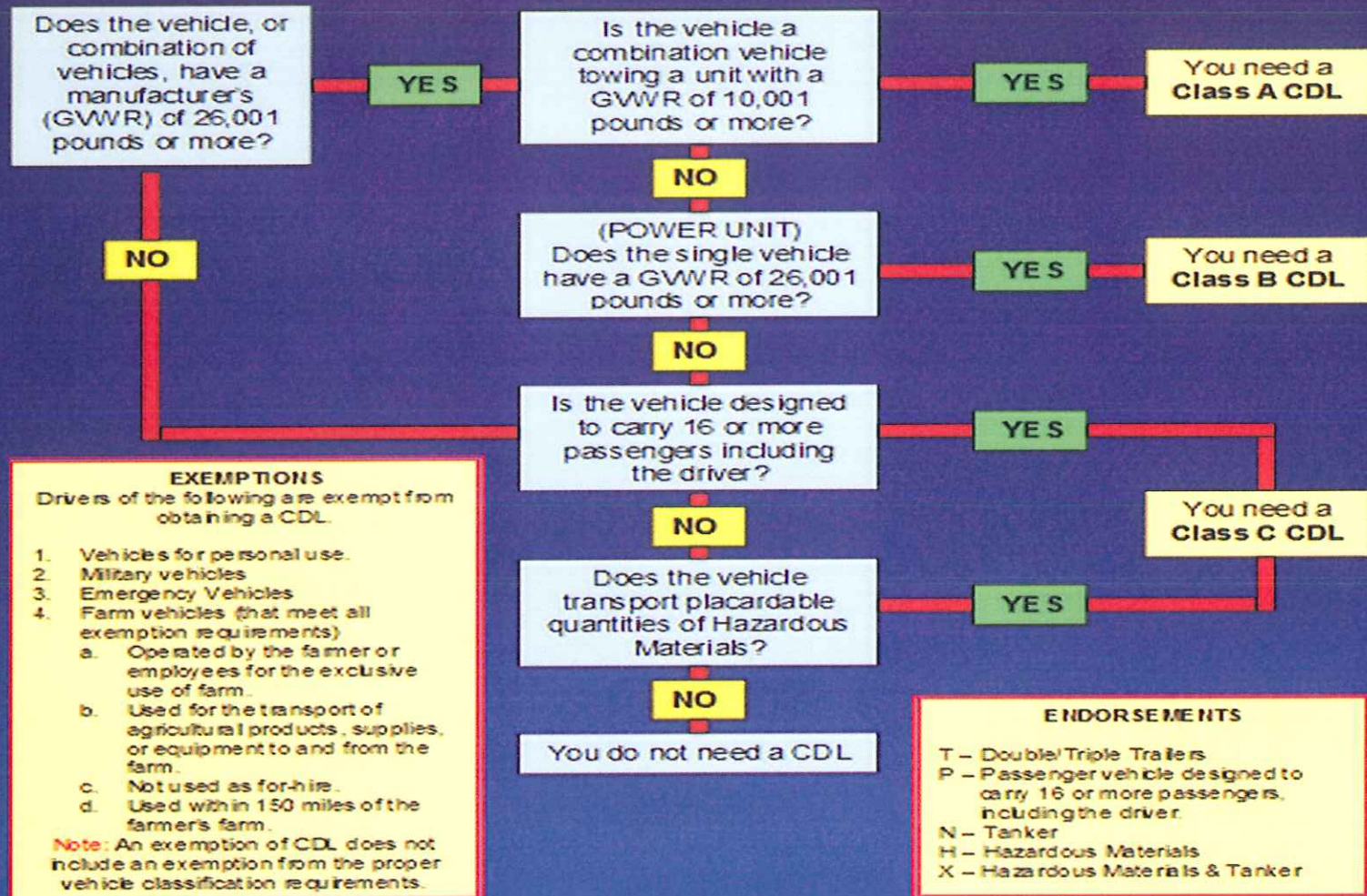


Must be operated by a farm or ranch owner or operator (includes employees and family members).



Used to transport agricultural commodities, livestock, or machinery or supplies to a farm or ranch.

What type of Driver's License do I need? Farmers are exempt from CDL's but still need the proper vehicle class license



HAZARDOUS MATERIAL EXEMPTIONS

49 CFR Part 173.5 Agricultural operations.

(a) For other than a Class 2 material, the transportation of an agricultural product over local roads between fields of the same farm is excepted from the requirements of this subchapter. A Class 2 material transported over local roads between fields of the same farm is excepted from subparts G and H of part 172 of this subchapter. In either instance, transportation of the hazardous material is subject to the following conditions:

(a)(1) It is transported by a farmer who is an intrastate private motor carrier; and

(a)(2) The movement of the agricultural product conforms to requirements of the State in which it is transported and is specifically authorized by a State statute or regulation in effect before October 1, 1998.

This exemption is authorized in NCGS 20-381 (b)

(b) The transportation of an agricultural product to or from a farm, within 150 miles of the farm, is excepted from the requirements in subparts G and H of part 172 of this subchapter and from the specific packaging requirements of this subchapter when:

(b)(1) It is transported by a farmer who is an intrastate private motor carrier;

(b)(2) The total amount of agricultural product being transported on a single vehicle does not exceed:

(b)(2)(i) 7,300 kg (16,094 lbs.) of ammonium nitrate fertilizer properly classed as Division 5.1, PG III, in a bulk packaging, or

(b)(2)(ii) 1900 L (502 gallons) for liquids or gases, or 2,300 kg (5,070 lbs.) for solids, of any other agricultural product;

Subpart “G” Emergency Response

§172.600 Applicability and general requirements.

Scope. Except as provided in paragraph (d) of this section, this subpart prescribes requirements for providing and maintaining emergency response information during transportation and at facilities where hazardous materials are loaded for transportation, stored incidental to transportation or otherwise handled during any phase of transportation.

(Farmers are exempt from this part)

Subpart “H” Training §172.700 Purpose and scope.

Purpose. This subpart prescribes requirements for training hazmat employees.

(b) *Scope.* Training as used in this subpart means a systematic program that ensures a hazmat employee has familiarity with the general provisions of this subchapter, is able to recognize and identify hazardous materials, has knowledge of specific requirements of this subchapter applicable to functions performed by the employee, and has knowledge of emergency response information, self-protection measures and accident prevention methods and procedures (see §172.704).

(Farmers are exempt from this requirement)

Questions?