

NORTH CAROLINA GENERAL ASSEMBLY
1969 SESSION

CHAPTER 645
HOUSE BILL 974

1 AN ACT TO PROVIDE PENALTIES FOR FAILURE OF INTERSTATE COMMON
2 CARRIERS TO REGISTER INTERSTATE OPERATING AUTHORITY FOR
3 OPERATION ON THE HIGHWAYS OF NORTH CAROLINA.
4

5 The General Assembly of North Carolina do enact:
6

7 **Section 1.** G.S. 62-266 is hereby amended by adding new subsections (c) and(d) at
8 the end thereof to read as follows:

9 "(c) Any person operating a common carrier motor vehicle in interstate commerce over
10 the highways of this State without filing with the Utilities Commission a copy of its respective
11 interstate authority and registering each vehicle operated in the State with the Utilities
12 Commission in accordance with rules and regulations of the Utilities Commission shall be
13 subject to a penalty of twenty-five (\$25.00) dollars, which shall be added to the registration
14 fees provided in G.S. 62-300(18) and G.S. 62-300(13). and said penalty shall be collected with
15 said registration fee from any carrier operating on the highways of North Carolina without
16 registering his interstate authority by inspectors and investigators of the Utilities Commission
17 in accordance with rules and regulations duly adopted by the Utilities Commission before said
18 vehicle shall be permitted to operate further upon the highways of North Carolina."

19 "(d) No motor carrier shall operate or cause to be operated in interstate commerce in this
20 State any vehicle until he has filed evidence of required insurance with the Utilities
21 Commission and has been issued an identification stamp for such vehicle, which stamp must be
22 attached to the approved Uniform Cab Card and carried in the vehicle at all times. The
23 identification stamp herein provided for shall be issued on an annual basis as of January 1st
24 each year and shall be valid through February 1st the next succeeding year. When any person is
25 discovered in this State, operating a vehicle in violation of this Section, it shall be unlawful for
26 anyone thereafter to operate said vehicle on the streets or highways of this State, except to
27 remove it from the street or highway for purposes of parking or storing said vehicle until he
28 shall pay to the Utilities Commission a penalty of twenty-five (\$25.00) dollars. Any person
29 denying his liability for such penalty may pay the same under protest. He may apply to the
30 Utilities Commission for a hearing, and said hearing will be granted before a member of the
31 Commission or a Hearing Examiner within thirty (30) days after receipt of the request of such a
32 hearing. If after said hearing the Commission determines that the person was not liable for the
33 penalty, the amount collected shall be refunded to him. If after said hearing the Commission
34 determines that the person was liable for said penalty, the person paying the penalty may bring
35 an action in the Superior Court of Wake County against the Utilities Commission for refund of
36 the penalty. No restraining order or injunction shall issue from any Court of the State to restrain
37 or enjoin the collection of the penalty or to permit the operation of said vehicle without
38 payment of the penalty prescribed herein."

39 **Sec. 2.** All laws and clauses of laws in conflict with the provisions of this Act are
40 hereby repealed.

41 **Sec. 3.** This Act shall be in full force and effect from and after its ratification.

42 In the General Assembly read three times and ratified, this the 29th day of May,
43 1969.