

NORTH CAROLINA GENERAL ASSEMBLY
1981 SESSION

CHAPTER 690
SENATE BILL 554

AN ACT TO INCREASE THE GASOLINE TAX, THE SPECIAL FUELS TAX AND THE TAX ON CARRIERS USING FUELS PURCHASED OUTSIDE THE STATE; TO INCREASE POWELL BILL FUNDS FOR MUNICIPALITIES; TO PROVIDE FOR CONSTRUCTION OF SECONDARY ROADS; TO TRANSFER SALES AND USE TAXES ON MOTOR VEHICLE PARTS, ACCESSORIES AND LUBRICANTS TO THE HIGHWAY FUND; TO INCREASE MOTOR VEHICLES FEES; TO INCREASE THE REGISTRATION FEES ON PROPERTY HAULING VEHICLES; AND TO ESTABLISH FEES FOR OVERSIZE AND OVERWEIGHT VEHICLES.

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The General Assembly of North Carolina enacts:

I. GASOLINE AND FUELS TAX INCREASE/POWELL BILL INCREASE/SECONDARY ROADS APPROPRIATION

Section 1. Article 36 of Subchapter V of Chapter 105 of the General Statutes entitled "Gasoline Tax" is hereby amended as follows:

(a) G.S. 105-434, as the same appears in the 1979 Replacement Volume 2D of the General Statutes, is amended by striking the words and figures "nine cents (9¢)" in lines 1 and 2 and inserting in lieu thereof the words and figures "twelve cents (12¢)";

(b) G.S. 105-435, as the same appears in the 1979 Replacement Volume 2D of the General Statutes, is amended by striking the words and figures "nine cents (9¢)" in line 5 and inserting in lieu thereof the words and figures "twelve cents (12¢)";

(c) G.S. 105-436.1(a) is rewritten to read as follows:

"Sale, distribution, or use of a blend of motor fuel and a minimum of ten percent (10%) anhydrous ethanol is subject to the tax described in G.S. 105-434 except:

- (1) from July 1, 1981, through June 30, 1982, the tax is nine cents (9¢);
- (2) from July 1, 1982, through June 30, 1983, the tax is ten cents (10¢);
- (3) from July 1, 1983, through June 30, 1984, the tax is eleven cents (11¢).

Quarterly refunds and rebates allowed under this Article for the purchase of such a blend shall not exceed the motor fuels tax on that blend reduced by one cent (1¢). Annual refunds and rebates allowed under this Article for the purchase of such a blend shall be at the following rates: for the year ending December 31, 1981, six cents (6¢) per gallon; for the year ending December 31, 1982, eight and one-half cents (8-1/2¢) per gallon; for the year ending December 31, 1983, nine and one-half cents (9-1/2¢) per gallon; for the year ending December 31, 1984,

ten and one-half cents (10-1/2¢) per gallon; for subsequent years ending December 31, eleven cents (11¢) per gallon.";

(d) G.S. 105-446, as the same appears in the 1979 Replacement Volume 2D of the General Statutes, is amended by deleting from the first sentence thereof the words and figures "seven cents (7¢) per gallon for the year ending December 31, 1969, and at the rate of eight cents (8¢)" and inserting in lieu thereof the words and figures "nine and one-half cents (9-1/2¢) per gallon for the year ending December 31, 1981, and at the rate of eleven cents (11¢)";

(e) The first sentence of G.S. 105-446.1 is amended by deleting the phrase "eight cents (8¢)" and inserting in lieu thereof the phrase "eleven cents (11¢)";

(f) The first sentence of G.S. 105-446.3(a) is amended by deleting the phrase "eight cents (8¢)" and inserting in lieu thereof the phrase "eleven cents (11¢)";

(g) G.S. 105-446.5(a), as the same appears in the 1979 Replacement Volume 2D of the General Statutes, is amended by striking from the first sentence thereof the words "reimbursed at the rate of thirty-three and one-third percent (33-1/3%) of eight cents (8¢) per gallon of the tax levied under this Article on all motor fuels used in the operation of the truck and concrete mixer upon the following conditions and in the following manner:" and inserting in lieu thereof the following:

"entitled to reimbursement of the tax levied under this Article. For the year ending December 31, 1981, reimbursement shall be at the rate of thirty-three and one-third percent (33-1/3%) of nine and one-half cents (9-1/2¢) per gallon. For subsequent years ending December 31 reimbursement shall be at the rate of thirty-three and one-third percent (33-1/3%) of eleven cents (11¢) per gallon. Reimbursement shall be made only upon the following conditions and in the following manner:";

(h) G.S. 105-449, as the same appears in the 1979 Replacement Volume 2D of the General Statutes, is amended by striking the words and figures "nine cents (9¢)" wherever they appear and inserting in lieu thereof the words and figures "twelve cents (12¢)";

(i) G.S. 105-449.01 is rewritten to read as follows:

"§ 105-449.01. July 1, 1981, inventory. — Every distributor of gasoline, both at wholesale and at retail, who shall have on hand or in his possession gasoline on which the nine cents (9¢) per gallon State tax has been paid or accrued shall take a true inventory of all such gasoline on hand or in his possession as of 12:01 a.m., July 1, 1981, and shall on or before July 20, 1981, report to the Secretary of Revenue the amount of such gasoline and shall remit to the Secretary an additional tax of three cents (3¢) per gallon. The report required shall be in such form as may be prescribed by the Secretary.

Every distributor of a blend of motor fuel and a minimum of ten percent (10%) anhydrous ethanol, both at wholesale and at retail, who shall have on hand or in his possession such blend of fuel and ethanol on which the five cents (5¢) per gallon State tax has been paid or accrued, shall take a true inventory of all such blend of fuel and ethanol on hand or in his possession as of 12:01 a.m., July 1, 1981, and shall on or before July 20, 1981, report to the Secretary of Revenue the amount of such blend of fuel and ethanol and shall remit to the Secretary an additional tax of three cents (3¢) per gallon. The report required shall be in such form as may be prescribed by the Secretary."

Sec. 2. Article 36A of Subchapter V of Chapter 105 of the General Statutes entitled "Special Fuels Tax" is hereby amended as follows:

(a) G.S. 105-449.16(a), as the same appears in the 1980 Interim Supplement to the General Statutes, is amended by striking the words and figures "nine cents (9¢)" wherever they appear and inserting in lieu thereof the words and figures "twelve cents (12¢)";

(b) G.S. 105-449.16(b) is rewritten as follows:

"Sale, distribution, or use of a blend of gasoline or fuel and a minimum of ten percent (10%) anhydrous ethanol, which is not subject to taxation under Article 36 of this Subchapter is subject to the tax described in subsection (a) of this section except:

- (1) from July 1, 1981, through June 30, 1982, the tax is nine cents (9¢);
- (2) from July 1, 1982, through June 30, 1983, the tax is ten cents (10¢);
- (3) from July 1, 1983, through June 30, 1984, the tax is eleven cents (11¢);".

(c) G.S. 105-449.19, as the same appears in the 1979 Replacement Volume 2D of the General Statutes, is amended by striking the words and figures "nine cents (9¢)" in line 10 and inserting in lieu thereof the words and figures "twelve cents (12¢)";

(d) G.S. 105-449.24, as the same appears in the 1980 Interim Supplement to the General Statutes, is amended by deleting the last sentence thereof and inserting in lieu thereof the following:

"Quarterly refunds and rebates allowed under this Article for the purchase of a blend of gasoline or fuel and a minimum of ten percent (10%) anhydrous ethanol shall not exceed the motor fuels tax on that blend reduced by one cent (1¢). Annual refunds and rebates allowed under this Article for the purchase of such a blend shall be at the following rates: for the year ending December 31, 1981, six cents (6¢) per gallon; for the year ending December 31, 1982, eight and one-half cents (8-1/2¢) per gallon; for the year ending December 31, 1983, nine and one-half cents (9-1/2¢) per gallon; for the year ending December 31, 1984, ten and one-half cents (10-1/2¢) per gallon; for subsequent years ending December 31, eleven cents (11¢) per gallon.";

(e) G.S. 105-449.30, as the same appears in the 1979 Replacement Volume 2D of the General Statutes, is amended by deleting from the first sentence thereof the words and figures "seven cents (7¢) per gallon for the year ending December 31, 1969, and at the rate of eight cents (8¢)" and inserting in lieu thereof the words and figures "nine and one half cents (9-1/2¢) per gallon for the year ending December 31, 1981, and at the rate of eleven cents (11¢)";

(f) G.S. 105 449.36 is rewritten as follows:

"§ 105-449.36. July 1, 1981, inventory. — Every supplier of special fuels and every user-seller who is a retail distributor of special fuels who shall have on hand or in his possession special fuels on which the nine cents (9¢) tax has been paid or accrued shall take a true inventory of all such special fuels on hand or in his possession as of 12:01 a.m., July 1, 1981, and shall on or before July 20, 1981, report to the Secretary of Revenue the amount of such fuels and shall remit to the Secretary an additional tax of three cents (3¢) per gallon. The report required shall be in such form as may be prescribed by the Secretary."

Sec. 3. Article 36B of Subchapter V of Chapter 105 of the General Statutes entitled "Tax on Carriers Using Fuel Purchased Outside State" is hereby amended as follows:

(a) G.S. 105-449.38, as the same appears in the 1979 Replacement Volume 2D of the General Statutes, is amended by deleting the first sentence thereof and inserting in lieu thereof the following:

"A road tax for the privilege of using the streets and highways of this State is hereby imposed upon every motor carrier on the amount of gasoline or other motor fuel used by such motor carrier in its operations within this State. The tax shall be at the rate of nine cents (9¢) per gallon with respect to fuel used prior to July 1, 1981, and at the rate of twelve cents (12¢) per gallon with respect to fuel used on or after July 1, 1981.";

(b) G.S. 105-449.39, as the same appears in the 1980 Interim Supplement to the General Statutes, is amended by deleting the first two sentences of the first paragraph and inserting in lieu thereof the following:

"Every motor carrier subject to the tax hereby imposed shall be entitled to a credit on such tax equivalent to twelve cents (12¢) per gallon on all gasoline or other motor fuels purchased on or after July 1, 1981, by such carrier in this State for use in its operations either within or without this State and upon which gasoline or other motor fuels the tax imposed by the laws of this State has been paid by such carrier. Carriers who have on hand inventory as of 12:01 a.m., July 1, 1981, on which the nine cents (9¢) tax has been paid shall take credit for nine cents (9¢)

per gallon on all such gasoline and other motor fuels when filing the report required under G.S. 105-449.45."

Sec. 4. G.S. 136-41.1(a) is hereby amended by deleting the following from the third line: "one cent (1¢)", and inserting in lieu thereof the following: "one and three-eighths cents (1-3/8¢)".

Sec. 5. G.S. 136-44.2A, as it appears in the 1981 Replacement Volume 3B to the General Statutes, is hereby recodified as G.S. 136-44.2B.

Sec. 6. A new G.S. 136-44.2A is enacted to read:

"§ 136-44.2A. Secondary road construction. — There shall be annually allocated out of the State Highway Fund to the Department of Transportation for secondary road construction programs developed pursuant to G.S. 136-44.7 and G.S. 136-44.8, a sum equal to that allocation made under G.S. 136-41.1(a). Such secondary roads allocation shall be made in accordance with the provisions of G.S. 136-44.5."

II. TRANSFER SALES AND USE TAXES ON MOTOR VEHICLE PARTS, ACCESSORIES AND LUBRICANTS TO THE HIGHWAY FUND

Sec. 7. Article 5 of Chapter 105 of the General Statutes is amended by adding a new section following G.S. 105-164.44 to be designated G.S. 105-164.44A and to read:

"§ 105-164.44A. Tax on motor vehicle parts, accessories, and lubricants; transfer to Highway Fund. — The sales and use tax collected on motor vehicle parts, accessories and lubricants for the fiscal year 1980-81 is estimated to be fifty-nine million dollars (\$59,000,000), which amount may be used hereafter to determine the amount of sales and use taxes to be transferred under this section from the General Fund to the Highway Fund.

Sales and use taxes collected on motor vehicle parts, accessories and lubricants may be transferred from the General Fund to the Highway Fund in the following amounts and in the following manner:

- (1) On a quarterly basis during the fiscal year ending June 30, 1982, the State Treasurer shall transfer from the General Fund to the Highway Fund that portion of the sum of fifty-nine million dollars (\$59,000,000) which equals the estimated amount of new General Fund revenues enacted during the 1981-82 legislative session, not to exceed fifty-nine million dollars (\$59,000,000).
- (2) On a quarterly basis during the fiscal year ending June 30, 1983, the State Treasurer shall transfer from the General Fund to the Highway Fund that portion of the sum of fifty-nine million dollars (\$59,000,000) which equals the annualized amount transferred during the year ending June 30, 1982, plus any annualized estimated new revenues enacted by the 1981-82 legislative session and not previously transferred, plus or minus the percentage of this amount by which the total collections of sales and use tax increased or decreased over the previous year.
- (3) On a quarterly basis during each fiscal year beginning on or after July 1, 1983, the State Treasurer shall transfer from the General Fund to the Highway Fund the amount transferred during the year ending June 30, 1983, plus or minus the percentage of that amount by which the total collection of sales or use tax increased or decreased over the previous year.
- (4) The quarterly transfers shall be made within 30 days after the end of each quarter."

III. MOTOR VEHICLES FEES INCREASE

Sec. 8. G.S. 20-7(i), as the same appears in the 1980 Interim Supplement to the General Statutes, is hereby amended by striking the words and figures "four dollars (\$4.00)" appearing in lines 1 and 2 and inserting in lieu thereof the words and figures "ten dollars

(\$10.00)" and by striking the words and figures "ten dollars (\$10.00)" appearing in line 3 and inserting in lieu thereof the words and figures "fifteen dollars (\$15.00)".

Sec. 9. G.S. 20-7(i1), as the same appears in the 1980 Interim Supplement to the General Statutes, is hereby amended by striking the words and figures "fifteen dollars (\$15.00)" appearing in line 3 and inserting in lieu thereof the words and figures "twenty-five dollars (\$25.00)".

Sec. 10. G.S. 20-7(l), as the same appears in the 1980 Interim Supplement to the General Statutes, is hereby amended by striking the words and figures "two dollars (\$2.00)" appearing in lines 6 and 7 and inserting in lieu thereof the words and figures "four dollars (\$4.00)" and by striking the words and figures "three dollars and twenty-five cents (\$3.25)" appearing in line 13 and inserting in lieu thereof the words and figures "seven dollars (\$7.00)".

Sec. 11. G.S. 20-14, as the same appears in the 1980 Interim Supplement to the General Statutes, is hereby amended by striking the words and figures "one dollar (\$1.00)" appearing in lines 3 and 4 and inserting in lieu thereof the words and figures "five dollars (\$5.00)".

Sec. 12. G.S. 20-37.7(d), as the same appears in the 1980 Interim Supplement to the General Statutes, is hereby amended by striking the words and figures "one dollar (\$1.00)" appearing in lines 2 and 3 and inserting in lieu thereof the words and figures "three dollars (\$3.00)".

Sec. 13. G.S. 20-26(c), as the same appears in the 1980 Interim Supplement to the General Statutes, is hereby amended by rewriting the schedule of fees appearing therein to read as follows:

- | | | |
|------|--|--------|
| "(1) | Limited extract copy of license record, for period up to three years | \$3.00 |
| (2) | Complete extract copy of license record | 3.00 |
| (3) | Certified true copy of complete license record | 6.00." |

Sec. 14. G.S. 20-166.1(i), as the same appears in the 1978 Replacement Volume 1C of the General Statutes, is hereby amended by striking the words and figures "two dollars and fifty cents (\$2.50)" appearing in line 12 and inserting in lieu thereof the words and figures "four dollars (\$4.00)".

Sec. 15. G.S. 20-324, as the same appears in the 1978 Replacement Volume 1C of the General Statutes, is hereby amended by striking the words and figures "twenty-five dollars (\$25.00)" appearing in lines 5 and 6 and inserting in lieu thereof the words and figures "forty dollars (\$40.00)"; and by striking the words and figures "five dollars (\$5.00)" appearing in line 7 thereof and inserting in lieu thereof the words and figures "eight dollars (\$8.00)".

Sec. 16. G.S. 20-289, as the same appears in the 1978 Replacement Volume 1C of the General Statutes, is hereby amended by rewriting same to read as follows:

"§ 20-289. License fees. — (a) The license fee for each fiscal year, or part thereof, shall be as follows:

- (1) For motor vehicle dealers, distributors, and wholesalers, thirty dollars (\$30.00) for each principal place of business, plus eight dollars (\$8.00) for a supplementary license for each car lot not immediately adjacent thereto;
- (2) For manufacturers, seventy-five dollars (\$75.00), and for each factory branch in this State, forty-five dollars (\$45.00);
- (3) For motor vehicle salesmen, five dollars (\$5.00);
- (4) For factory representatives, or distributor branch representatives, six dollars (\$6.00);
- (5) Manufacturers, wholesalers, and distributors may operate as a motor vehicle dealer, without any additional fee or license.

(b) The fees and licenses collected under this section shall be placed in the Highway Fund. Provided, that nothing contained in this section or in any other section of this Article

shall be construed as exempting any person of any license tax or fee imposed by any other provision of the law."

Sec. 17. G.S. 20-183.7, as the same appears in the 1980 Interim Supplement to the General Statutes, is hereby amended by striking the words and figures "thirty-five cents (35¢)" appearing in subsection (a), line 9; subsection (a1), lines 13 and 14; subsection (c)(1), line 1; and subsection (c)(2), line 3, and inserting in lieu thereof the words and figures "sixty cents (60¢)".

Sec. 18. G.S. 105-449.52, as the same appears in the 1979 Replacement Volume 2D of the General Statutes, is hereby amended by striking the words and figures "twenty-five dollars (\$25.00)" appearing in line 6 and inserting in lieu thereof the words and figures "seventy-five dollars (\$75.00)".

Sec. 19. G.S. 20-85, as the same appears in the Supplement to 1979 Replacement Volume 1C of the General Statutes, is hereby rewritten to read as follows:

"§ **20-85. Schedule of fees.** — Except as provided in G.S. 20-68, there shall be paid to the Division for the issuance of certificates of title, transfer of registration and replacement of registration plates fees according to the following schedules:

| | | |
|-----|--|--------|
| (1) | Each application for certificate of title | \$5.00 |
| (2) | Each application for duplicate or corrected certificate of title | 7.00 |
| (3) | Each application of reposessor for certificate of title | 5.00 |
| (4) | Each transfer of registration | 4.00 |
| (5) | Each set of replacement registration plates | 9.00 |
| (6) | Each application for duplicate registration certificate | 3.00 |
| (7) | Each application for recording supplementary lien | 3.00 |
| (8) | Each application for removing a lien from a certificate of title | 4.00." |

Sec. 20. G.S. 20-57(b), as the same appears in the Supplement to 1979 Replacement Volume 1C of the General Statutes, is hereby amended by striking the words and figures "one dollar (\$1.00)" appearing in line 8 and inserting in lieu thereof the words and figures "three dollars (\$3.00)".

Sec. 21. G.S. 20-74, as the same appears in the Supplement to 1979 Replacement Volume 1C of the General Statutes, is hereby amended by striking the words and figures "three dollars (\$3.00)" appearing in line 6 and inserting in lieu thereof the words and figures "four dollars (\$4.00)".

Sec. 22. G.S. 20-42(a), as the same appears in the 1979 Replacement Volume 1C of the General Statutes, is hereby amended by rewriting the schedule of fees appearing therein to read as follows:

| | | |
|------|--------------------------|--------|
| "(1) | One signature | \$2.00 |
| (2) | Two signatures | 3.00 |
| (3) | Three or more signatures | 4.00." |

Sec. 23. G.S. 20-42(b), as the same appears in the Supplement to 1979 Replacement Volume 1C of the General Statutes, is hereby amended by striking the words and figures "two dollars (\$2.00)" appearing in lines 3 and 4 and inserting in lieu thereof the words and figures "four dollars (\$4.00)".

Sec. 24. G.S. 20-178, as the same appears in the 1979 Replacement Volume 1C of the General Statutes, is hereby amended by striking the words and figures "one dollar (\$1.00)" appearing in line 9 and inserting in lieu thereof the words and figures "ten dollars (\$10.00)".

Sec. 25. G.S. 20-309(e)(2), as the same appears in the 1980 Interim Supplement of the General Statutes, is hereby amended by striking the words and figures "fifteen dollars (\$15.00)" appearing in line 2 and inserting in lieu thereof the words and figures "twenty-five dollars (\$25.00)".

Sec. 26. G.S. 44A-4(b)(1), as the same appears in 1976 Replacement Volume 2A of the General Statutes, is hereby amended by striking the words and figures "two dollars (\$2.00)" appearing in line 5 and inserting in lieu thereof the words and figures "four dollars (\$4.00)".

Sec. 27. G.S. 20-118(5), as the same appears in 1978 Replacement Volume 1C of the General Statutes, is hereby amended by striking the words and figures "two cents (2¢)" appearing in line 7 and inserting in lieu thereof the words and figures "four cents (4¢)"; by striking the words and figures "three cents (3¢)" appearing in line 8 and inserting in lieu thereof the words and figures "six cents (6¢)"; and by striking the words and figures "five cents (5¢)" appearing at the end of line 8 and inserting in lieu thereof the words and figures "ten cents (10¢)".

Sec. 28. G.S. 20-118, as the same appears in the 1978 Replacement Volume 1C of the General Statutes, is hereby amended by striking the words and figures "one cent (1¢)", "two cents (2¢)" and "five cents (5¢)" appearing in lines 6, 7 and 8 of the second unnumbered paragraph following subdivision (12) and relating to violations of gross weight limitations and inserting in lieu thereof the words and figures "two cents (2¢)", "four cents (4¢)", and "ten cents (10¢)" respectively.

IV. PROPERTY HAULING VEHICLES REGISTRATION FEES

Sec. 29. G.S. 20-88(b), as the same appears in the 1980 Interim Supplement to the General Statutes, is hereby amended by:

- (a) Rewriting the schedule of weights and rates to read as follows:
"SCHEDULE OF WEIGHTS AND RATES"

| Rates Per Hundred Pound Gross Weight | |
|--------------------------------------|---------------|
| | <u>Farmer</u> |
| Not over 4,500 pounds | \$0.23 |
| 4,501 to 8,500 pounds inclusive | .29 |
| 8,501 to 12,500 pounds inclusive | .37 |
| 12,501 to 16,500 pounds inclusive | .51 |
| Over 16,500 pounds | .58 |

SCHEDULE OF WEIGHTS AND RATES

| Rates Per Hundred Pound Gross Weight | |
|--------------------------------------|---|
| | <u>Private Hauler</u> <u>Contract Carriers, Flat</u> <u>Rate Common Carriers and</u> <u>Exempt for-Hire Carriers</u> |
| Not over 4,500 pounds | \$0.46 |
| 4,501 to 8,500 pounds inclusive | .58 |
| 8,501 to 12,500 pounds inclusive | .73 |
| 12,501 to 16,500 pounds inclusive | 1.01 |
| Over 16,500 pounds | 1.15 |

SCHEDULE OF WEIGHTS AND RATES

| Rates Per Hundred Pound Gross Weight | |
|--------------------------------------|---|
| | <u>Common Carrier of</u> <u>Property</u> <u>(Deposit)</u> |
| Not over 4,500 | \$0.87 |
| 4,501 to 8,500 pounds inclusive | .87 |

| | |
|-----------------------------------|-------|
| 8,501 to 12,500 pounds inclusive | .87 |
| 12,501 to 16,500 pounds inclusive | .87 |
| Over 16,500 pounds | .87." |

(b) by striking the words and figures "twelve dollars and fifty cents (\$12.50)" and "sixteen dollars (\$16.00)" appearing in subdivision (1) and inserting in lieu thereof the words and figures "fourteen dollars and fifty cents (\$14.50)" and "eighteen dollars and fifty cents (\$18.50)" respectively;

(c) by striking the words and figures "sixty-two dollars and fifty cents (\$62.50)" and "one hundred twenty-five dollars (\$125.00)" appearing in subdivision (6) and inserting in lieu thereof the words and figures "seventy-two dollars (\$72.00)" and "one hundred forty-five dollars (\$145.00)" respectively.

Sec. 30. G.S. 20-88(c), as the same appears in the 1978 Replacement Volume 1C of the General Statutes, is hereby amended by striking the words and figures "four dollars (\$4.00)" appearing therein and inserting in lieu thereof the words and figures "seven dollars (\$7.00)".

V. OVERSIZE AND OVERWEIGHT VEHICLE FEES

Sec. 31. G.S. 20-119, as it appears in the 1978 Replacement Volume 1C of the General Statutes, is rewritten to designate the entire body of the existing statute as subsection (a) and to include the following additional subsections:

"(b) Upon the issuance of a special permit for an oversize or overweight vehicle by the Department of Transportation in accordance with this section, the applicant shall pay to the Department a fee of five dollars (\$5.00) for a single trip permit or twenty-five dollars (\$25.00) for an annual permit issued for a single vehicle. Any person, firm or corporation who operates more than one vehicle may apply for, and the Department may issue, an annual permit for all oversize or overweight vehicles operated by said person, firm or corporation, and said applicant shall pay to the Department an annual fee based on the following schedule:

| <u>No. of Vehicles</u> | <u>Annual Permit Rate Per Vehicle</u> |
|------------------------|---------------------------------------|
| First 50 | \$25.00 |
| 51 to 100 | 20.00 |
| 101 to 150 | 15.00 |
| Over 150 | 10.00. |

Any vehicle required to obtain an overweight permit shall not be charged an additional fee for oversize. Any vehicle required to obtain an oversize permit shall not be charged an additional fee for overweight. This subsection shall not apply to farm equipment or machinery being used at the time for agricultural purposes, nor to the moving of a house as provided for by the license and permit requirements of Article 16 of this Chapter. Fees will not be assessed for permits for oversize and overweight vehicles issued to any agency of the United States Government or the State of North Carolina, its agencies, institutions, subdivisions or municipalities, provided the vehicle is registered in the name of such governmental body.

(c) Nothing in this section shall require the Department of Transportation to issue any permit for any load."

Sec. 32. G.S. 20-119(a), as recodified by Section 31, is amended by striking from lines 2 and 3 the words "in writing and", the same being the last word of line 2 and the first two words of line 3, and inserting in lieu thereof the word "for", and further amended by striking the word "width" in line 12 and inserting in lieu thereof the word "weight".

VI. EFFECTIVE DATES

Sec. 33. Subsection (i) of Section 1 and subsection (f) of Section 2 shall become effective upon ratification; the remaining provisions of Sections 1 and 2 shall become effective July 1, 1981.

Sec. 34. Section 3 shall become effective July 1, 1981.

Sec. 35. Section 4 shall become effective July 1, 1981, provided that the allocation made on October 1, 1981, shall not be affected.

Sec. 36. Sections 5 and 6 shall become effective July 1, 1981.

Sec. 37. Sections 6 through 32 shall become effective on July 1, 1981, except Sections 15, 16 and 17 which shall become effective January 1, 1982, and Section 31 shall become effective September 1, 1981.

In the General Assembly read three times and ratified, this the 26th day of June, 1981.