

GENERAL ASSEMBLY OF NORTH CAROLINA
1987 SESSION

CHAPTER 707
SENATE BILL 825

AN ACT TO PROVIDE RELIEF FROM THE WEIGHT LIMITATIONS FOR
GARBAGE HAULERS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-118(c) is amended by adding a new subdivision to read:

"(9) Fully enclosed motor vehicles designed specifically for collecting, compacting and hauling garbage from residences or from garbage dumpsters shall, when operating for those purposes, be exempt from the light traffic road limitation as provided by G.S. 20-118(b)(4). This exemption shall not apply to vehicles transporting hazardous waste as defined in G.S. 130A-290(4), spent nuclear fuel regulated under G.S. 20-167.1, low-level radioactive waste as defined in G.S. 104E-5(9a), or radioactive material as defined in G.S. 104E-5(14)."

Sec. 2. G.S. 20-118(c) is amended by adding a new subdivision to read:

"(10) Fully enclosed motor vehicles designed specifically for collecting, compacting and hauling garbage from residences, or from garbage dumpsters shall, when operating for those purposes, be allowed a single axle weight not to exceed 23,500 pounds on the steering axle on vehicles equipped with a boom, or on the rear axle on vehicles loaded from the rear. This exemption shall not apply to vehicles transporting hazardous waste as defined in G.S. 130A-290(4), spent nuclear fuel regulated under G.S. 20-167.1, low-level radioactive waste as defined in G.S. 104E-5(9a), or radioactive material as defined in G.S. 104E-5(14)."

Sec. 3. G.S. 20-118(e)(2) reads as rewritten:

"(2) For each violation of the single-axle or tandem-axle weight limit as provided in G.S. 20-118(b)(1) and 20-118(b)(2) by vehicles transporting processed and unprocessed seafood from boats or any other point of origin to a processing plant or a point of further distribution, meats and agricultural crop products originating from a farm, or forest products originating from a farm or from woodlands to first market, or livestock or poultry by-products from point of origin to a rendering plant, or fully enclosed motor vehicles designed specifically for collecting, compacting and hauling garbage from residences, or from garbage dumpsters when operating for those purposes, the owner or registrant of the vehicle shall pay to the Department a civil penalty which equals the amount produced by applying one-half of the rate indicated in the schedule in G.S. 20-118(e)(1) to the weight in pounds on each axle in excess of the maximum weight in pounds allowed under G.S. 20-118(b)(1) and 20-118(b)(2)."

Sec. 4. G.S. 20-118(e)(4) reads as rewritten:

"(4) For each violation of any weight limit as provided in G.S. 20-118(b)(3) by vehicles transporting processed and unprocessed seafood from boats or any other point of origin to a processing plant or a point of further distribution, meats and agricultural crop products originating from a farm or forest products originating from a farm or woodlands to first market, or livestock or poultry by-products from point of origin to a rendering plant, or fully enclosed motor vehicles designed specifically for collecting, compacting and hauling garbage from residences, or from garbage dumpsters when operating for those purposes, the owner or registrant shall pay to the Department a civil penalty which equals the amount produced by applying one-half of the rate indicated in the schedule in G.S. 20-118(e)(3) to the weight in pounds on each axle group in excess of the maximum weight in pounds allowed under G.S. 20-118(b)(3)."

Sec. 5. This act shall not apply to bridges posted pursuant to G.S. 136-72 and to Interstate Highways.

Sec. 6. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 31st day of July, 1987.