

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003

H

3

**HOUSE BILL 425**  
**Committee Substitute Favorable 4/23/03**  
**Senate Transportation Committee Substitute Adopted 6/11/03**

Short Title: Horse Trailer/Weigh Stations.

(Public)

---

Sponsors:

---

Referred to:

---

March 12, 2003

A BILL TO BE ENTITLED

1  
2 AN ACT TO AMEND THE REQUIREMENT THAT SMALL HORSE TRAILERS  
3 DESIGNED TO CARRY FOUR OR FEWER HORSES MUST STOP AT  
4 PERMANENT WEIGH STATIONS.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 20-118.1 reads as rewritten:

7 "**§ 20-118.1. Officers may weigh vehicles and require overloads to be removed.**

8 A law enforcement officer may stop and weigh a vehicle to determine if the vehicle's  
9 weight is in compliance with the vehicle's declared gross weight and the weight limits  
10 set in this Part. The officer may require the driver of the vehicle to drive to a scale  
11 located within five miles of where the officer stopped the vehicle.

12 Any person operating a vehicle or a combination of vehicles having a GVWR of  
13 10,001 pounds or more or any vehicle transporting hazardous materials that is required  
14 to be placarded under 49 C.F.R. § 171-180 must enter a permanent weigh station or  
15 temporary inspection or weigh site as directed by duly erected signs or an electronic  
16 transponder for the purpose of being electronically screened for compliance, or  
17 weighed, or inspected.

18 If the vehicle's weight exceeds the amount allowable, the officer may detain the  
19 vehicle until the overload has been removed. Any property removed from a vehicle  
20 because the vehicle was overloaded is the responsibility of the owner or operator of the  
21 vehicle. The State is not liable for damage to or loss of the removed property.

22 Failure to permit a vehicle to be weighed or to remove an overload is a misdemeanor  
23 of the Class set in G.S. 20-176. An officer must weigh a vehicle with a scale that has  
24 been approved by the Department of Agriculture and Consumer Services.

25 A privately owned noncommercial horse trailer constructed to transport four or  
26 fewer horses shall not be required to stop at any permanent weigh station in the State  
27 while transporting horses, unless the driver of the vehicle hauling the trailer is directed  
28 to stop by a law enforcement officer. A 'privately owned noncommercial horse trailer'

1 means a trailer used solely for the occasional transportation of horses and not for  
2 compensation or in furtherance of a commercial enterprise."

3           **SECTION 2.** This act is effective when it becomes law.