

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

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HOUSE BILL 584  
Committee Substitute Favorable 4/17/13

Short Title: Suspend Truck Inspection/Severe Weather. (Public)

Sponsors:

Referred to:

April 8, 2013

1 A BILL TO BE ENTITLED  
2 AN ACT TO ALLOW THE GOVERNOR TO TEMPORARILY SUSPEND ROUTINE  
3 WEIGHT INSPECTIONS OF TRUCKS PRIOR TO SEVERE WEATHER EVENTS.

4 The General Assembly of North Carolina enacts:

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

6 "**§ 20-118.1. Officers may weigh vehicles and require overloads to be removed.**

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

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

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

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

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

29 (b) When the weather or a related imminent threat is likely to cause serious damage or  
30 loss to livestock, poultry, or crops that are ready to be harvested, the Governor, upon the  
31 request of the Commissioner of Agriculture, may temporarily suspend the provisions of  
32 subsection (a) of this section for vehicles hauling livestock, poultry, or crops ready to be  
33 harvested that are at risk of damage or loss from the farm to a processing facility or point of  
34 further distribution. This section shall not be construed to permit the gross weight of any  
35 vehicle or combination in excess of the safe load carry capacity established by the Department  
36 of Transportation on any bridge pursuant to G.S. 136-72. The suspension shall end when the



1 Governor determines that the threat of serious damage or loss to livestock, poultry, or crops  
2 that are ready to be harvested has passed."

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