

March 4, 1999

H 303. COMMERCIAL VEHICLE SAFETY. TO AMEND THE LAWS RELATING TO COMMERCIAL VEHICLE HIGHWAY SAFETY. Adds GS 20-17.7 allowing Commissioner of Motor Vehicles to adopt fines for out-of-service criteria as defined in C.F.R. Part 390.5. Adds GS 20-169.1 allowing Department of Transportation to use electronic monitoring devices for enforcement of traffic laws. Adds GS 20-138.2C stating that operating commercial motor vehicle with alcoholic beverages in passenger area is an offense. Amends GS 20-309(a) to state that owner of commercial motor vehicle shall have financial responsibility for vehicle. Amends GS 20-140.3 to allow any law enforcement officer, not just Highway Patrol officer, to cross median of divided highway in specified circumstances. Amends GS 20-16(c) to add separate schedule of point values for violations committed while operating commercial motor vehicle; generally, these points are one point higher than same violations committed while operating other vehicles, although passing stopped school bus is 8 points (rather than 5). Adds GS 20-16A, directing that any infraction of misdemeanor committed while operating commercial motor vehicle shall be assessed double the amount of any fine required by statute. Effective December 1, 1999.

Intro. by Saunders.

Ref. to Judiciary IV

GS 20, 136

April 7, 1999

H 303. COMMERCIAL VEHICLE SAFETY. Intro. 3/4/99. House committee substitute makes the following changes to 1st edition. Deletes new provision authorizing DOT to use electronic monitoring devices for traffic control law enforcement. Amends GS 20-16(c) to add to schedule of DMV drivers license points for convictions of motor vehicle offenses, six points for rail-highway crossing violation and to delete from list of offenses for which no points are assessed public drunk within a vehicle and possession of alcoholic beverages.

April 14, 1999

H 303. COMMERCIAL VEHICLE SAFETY. Intro. 3/4/99. House amendments make the following changes to 2nd edition. Defines "commercial motor vehicle" for financial responsibility purposes in GS 20-309 by reference to state law, GS 20-4.01(3d) (was, federal law, 40 C.F.R. Part 390). Eliminates financial responsibility exception under GS 20-279.32 regarding for-hire intrastate motor carriers registered under GS 20-382.1. Changes law against possession of alcoholic beverages while operating a commercial motor vehicle such that open or closed alcoholic beverages may not be carried in the passenger area of the commercial vehicle, unless the vehicle is an excursion passenger vehicle, a for-hire passenger vehicle, a common carrier of passengers, or a motor home, and the drink is in possession of a passenger or in the passenger area.

June 29, 1999

H 303. COMMERCIAL VEHICLE SAFETY. Intro. 3/4/99. Senate committee substitute makes the following changes to 4th edition. Adds new language to GS 20-140.3(7) specifying that fire dep't vehicles and public or private ambulances and rescue squad emergency vehicles traveling in response to a call may cross the median of a divided highway when necessary to provide immediate assistance. Makes technical change.

July 7, 1999

H 303. COMMERCIAL VEHICLE SAFETY. Intro. 4/4/99. House amendment makes the following changes to 5th edition. Limits application of double fines in GS 20-16A to offenses for which points may be assessed pursuant to the Schedule of Point Values for Violations While Operating a Commercial Motor Vehicle as provided in GS 20-16(c) (was, any infraction or misdemeanor violation of GS Ch. 20).

July 15, 1999

H 303. COMMERCIAL VEHICLE SAFETY. Intro. 3/4/99. Senate amendments make the following changes to 5th edition. Amendment 3 adds revision to definition of commercial motor vehicles in

GS 20-4.01(3d) to delete reference to federal regulatory definition. Amendment 4 amends provisions of GS 20-16(c) regarding schedule of points for violations while operating a commercial motor vehicle. Provides the schedule does not apply to aerial lift trucks and line trucks owned and operated by a public utility, electric or telephone membership corporation, or municipality when such vehicle is used in connection with installation, restoration, or maintenance of utility services.