

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2011

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SENATE BILL 749  
Transportation Committee Substitute Adopted 4/28/11  
PROPOSED HOUSE COMMITTEE SUBSTITUTE S749-PCS85302-RV-56

Short Title: Various Motor Vehicle Law Changes.

(Public)

Sponsors:

Referred to:

April 20, 2011

1 A BILL TO BE ENTITLED  
2 AN ACT TO AMEND THE STATE'S LAWS PERTAINING TO TRANSPORTATION.

3 The General Assembly of North Carolina enacts:

4 **SECTION 1.** G.S. 20-7(s) reads as rewritten:

5 "(s) Notwithstanding the requirements of subsection (b1) of this section that an applicant  
6 present a valid social security number, the Division shall issue a drivers license of limited  
7 duration, under subsection (f) of this section, to an applicant present in the United States who  
8 holds valid documentation issued by, or under the authority of, the United States government  
9 that demonstrates the applicant's legal presence of limited duration in the United States if the  
10 applicant presents that valid documentation and meets all other requirements for a license of  
11 limited duration. Notwithstanding the requirements of subsection (n) of this section addressing  
12 background colors and borders, a drivers license of limited duration issued under this section  
13 shall bear a distinguishing mark or other designation on the face of the license clearly denoting  
14 the limited duration of the license."

15 **SECTION 2.** G.S. 20-51(6) reads as rewritten:

16 "(6) Any trailer or semitrailer attached to and drawn by a properly licensed motor  
17 vehicle when used by a farmer, his tenant, agent, or employee in transporting  
18 unginne cotton, peanuts, soybeans, corn, hay, tobacco, silage, cucumbers,  
19 potatoes, all vegetables, fruits, greenhouse and nursery plants and flowers,  
20 Christmas trees, livestock, live poultry, animal waste, pesticides, seeds,  
21 fertilizers or chemicals purchased or owned by the farmer or tenant for  
22 personal use in implementing husbandry, irrigation pipes, loaders, or  
23 equipment owned by the farmer or tenant from place to place on the same  
24 farm, from one farm to another, from farm to gin, from farm to dryer, or  
25 from farm to market, and when not operated on a for-hire basis. The term  
26 "transporting" as used herein shall include the actual hauling of said products  
27 and all unloaded travel in connection therewith."

28 **SECTION 3.** G.S. 20-51 is amended by adding a new subdivision to read:

29 "(17) A header trailer when transported to or from a dealer, or after a sale or  
30 repairs, to the farm or another dealership."

31 **SECTION 4.** G.S. 20-88 is amended by adding a new subsection to read:

32 "(m) Any vehicle weighing greater than the limits found in G.S. 20-118(b), as authorized  
33 by G.S. 20-118(c)(12), (c)(14), and (c)(15), must be registered for the maximum weight



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1 allowed for the vehicle configuration as listed in G.S. 20-118(b). A vehicle driven in violation  
2 of this subsection is subject to the axle group penalties set out in G.S. 20-118(e). The penalties  
3 apply to the amount by which the vehicle's maximum gross weight as listed in G.S. 20-118(b)  
4 exceeds its declared weight."

5 **SECTION 5.** G.S. 20-116(j) reads as rewritten:

6 "(j) Nothing in this section shall be construed to prevent the operation of self-propelled  
7 grain combines or other self-propelled farm equipment with or without implements, not  
8 exceeding 25 feet in width on any highway, ~~except a highway or section of highway that is a~~  
9 ~~fully controlled access highway or is a part of the National System of Interstate and Defense~~  
10 ~~Highways.~~ unless the operation violates a provision of this subsection. Farm equipment  
11 includes a vehicle that is designed exclusively to transport compressed seed cotton from a farm  
12 to a gin and has a self-loading bed. Combines or equipment which exceed 10 feet in width may  
13 be operated only if they meet all of the conditions listed in this subsection. A violation of one  
14 or more of these conditions does not constitute negligence per se.

15 (1) The equipment may only be operated during daylight hours.

16 (2) The equipment must display a red flag on front and rear ~~ends.~~ ends or a  
17 flashing warning light. ~~The flags shall not be smaller than three feet wide~~  
18 ~~and four feet long.~~ The flags or lights shall be attached to a stick, pole, staff,  
19 etc., not less than four feet long and they shall be attached to the equipment  
20 as to be visible from both directions at all times while being operated on the  
21 public highway for not less than 300 feet.

22 (3) Equipment covered by this section, which by necessity must travel more  
23 than 10 miles or where by nature of the terrain or obstacles the flags or lights  
24 referred to in subdivision (2) of this subsection are not visible from both  
25 directions for 300 feet at any point along the proposed route, must be  
26 preceded at a distance of 300 feet and followed at a distance of 300 feet by a  
27 flagman in a vehicle having mounted thereon an appropriate warning light or  
28 flag. No flagman in a vehicle shall be required pursuant to this subdivision if  
29 the equipment is being moved under its own power or on a trailer from any  
30 field to another field, or from the normal place of storage of the vehicle to  
31 any field, for no more than ten miles and if visible from both directions for  
32 300 feet at any point along the proposed route.

33 (4) Every piece of equipment so operated shall operate to the right of the center  
34 line when meeting traffic coming from the opposite direction and at all other  
35 times when possible and practical.

36 (5) Repealed by Session Laws 2008-221, s. 6, effective September 1, 2008.

37 (6) When the equipment is causing a delay in traffic, the operator of the  
38 equipment shall move the equipment off the paved portion of the highway at  
39 the nearest practical location until the vehicles following the equipment have  
40 passed.

41 (7) The equipment shall be operated in the designed transport position that  
42 minimizes equipment width. No removal of equipment or appurtenances is  
43 required under this subdivision.

44 (8) Equipment covered by this subsection shall not be operated on a highway or  
45 section of highway that is a fully controlled access highway or is a part of  
46 the National System of Interstate and Defense Highways without  
47 authorization from the North Carolina Department of Transportation. The  
48 Department shall develop an authorization process and approve routes under  
49 the following conditions:

50 a. Persons shall submit an application to the Department requesting  
51 authorization to operate equipment covered by this subsection on a

1 particular route that is part of a highway or section of highway that is  
 2 a fully controlled access highway or is a part of the National System  
 3 of Interstate and Defense Highways.

4 b. The Department shall have a period of 30 days from receipt of a  
 5 complete application to approve or reject the application. A complete  
 6 application shall be deemed approved if the Department does not  
 7 take action within 30 days of receipt by the Department; such a route  
 8 may then be used by the original applicant.

9 c. The Department shall approve an application upon a showing that the  
 10 route is necessary to accomplish one or more of the following:

11 1. Prevent farming operations from traveling more than five  
 12 miles longer than the requested route during the normal  
 13 course of business.

14 2. Prevent excess traffic delays on local or secondary roads.

15 3. Allow farm equipment access due to dimension restrictions  
 16 on local or secondary roads.

17 d. For applications that do not meet the requirements of sub-subdivision  
 18 c. of this subdivision, the Department may also approve an  
 19 application upon review of relevant safety factors.

20 e. The Department may consult with the North Carolina State Highway  
 21 Patrol, the North Carolina Department of Agriculture and Consumer  
 22 Services, or other parties concerning an application.

23 f. Any approved route may be subject to any of the following  
 24 additional conditions:

25 1. A requirement that the subject equipment be followed by a  
 26 flag vehicle with flashing lights that shall be operated at all  
 27 times on the route so as to be visible from a distance of at  
 28 least 300 feet.

29 2. Restrictions on maximum and minimum speeds of the  
 30 equipment.

31 3. Restrictions on the maximum dimensions of the equipment.

32 4. Restrictions on the time of day that the equipment may be  
 33 operated on the approved route.

34 g. The Department shall publish all approved routes, including any  
 35 conditions on the routes' use, and shall notify appropriate State and  
 36 local law enforcement officers of any approved route.

37 h. Once approved for use and published by the Department, a route may  
 38 be used by any person who adheres to the route, including any  
 39 conditions on the route's use imposed by the Department.

40 i. The Department may revise published routes as road conditions on  
 41 the routes change."

42 **SECTION 6.** G.S. 20-118(c) reads as rewritten:

43 "(c) Exceptions. – The following exceptions apply to G.S. 20-118(b) and 20-118(e).

44 ...

45 (5) The light-traffic road limitations provided for pursuant to subdivision (b)(4)  
 46 of this section do not apply to a vehicle while that vehicle is transporting  
 47 only the following from its point of origin on a light-traffic road to either one  
 48 of the two nearest highways that is not a light-traffic road. If that vehicle's  
 49 point of origin is a non-light-traffic road and that road is blocked by  
 50 light-traffic roads from all directions and is not contiguous with other

- 1 non-light-traffic roads, then the road at point of origin is treated as a  
 2 light-traffic road for purposes of this subdivision:
- 3 a. Processed or unprocessed seafood transported from boats or any  
 4 other point of origin to a processing plant or a point of further  
 5 distribution.
  - 6 b. ~~Meats~~ Meats, live poultry, or agricultural crop products transported  
 7 from a farm to a processing plant or first-market.
  - 8 c. Forest products originating and transported from a farm or from  
 9 woodlands to ~~first-market~~ without interruption or delay for further  
 10 packaging or processing after initiating transport.
  - 11 d. Livestock or live poultry transported from their point of origin to a  
 12 processing plant or ~~first-market~~.
  - 13 e. Livestock by-products or poultry by-products transported from their  
 14 point of origin to a rendering plant.
  - 15 f. Recyclable material transported from its point of origin to a  
 16 scrap-processing facility for processing. As used in this subpart, the  
 17 terms "recyclable material" and "processing" have the same meaning  
 18 as in G.S. 130A-290(a).
  - 19 g. Garbage collected by the vehicle from residences or garbage  
 20 dumpsters if the vehicle is fully enclosed and is designed specifically  
 21 for collecting, compacting, and hauling garbage from residences or  
 22 from garbage dumpsters. As used in this subpart, the term "garbage"  
 23 does not include hazardous waste as defined in G.S. 130A-290(a),  
 24 spent nuclear fuel regulated under G.S. 20-167.1, low-level  
 25 radioactive waste as defined in G.S. 104E-5, or radioactive material  
 26 as defined in G.S. 104E-5.
  - 27 h. Treated sludge collected from a wastewater treatment facility.
  - 28 i. Apples when transported from the orchard to the first processing or  
 29 packing point.
  - 30 j. Trees grown as Christmas trees from the field, farm, stand, or  
 31 ~~grove~~ grove, and other forest products, including chips and bark, to  
 32 ~~first-a~~ processing point.
  - 33 k. Water, fertilizer, pesticides, seeds, fuel, and animal waste transported  
 34 to or from a farm by a farm vehicle as defined in G.S. 20-37.16(e)(3).
- 35 ...
- 36 (12) Subsections (b) and (e) of this section do not apply to a vehicle or vehicle  
 37 combination that meets all of the conditions set out below:
- 38 a. ~~Is hauling agricultural crops from the farm where the crop is grown~~  
 39 ~~to any market~~ transporting any of the following items within 150  
 40 miles of ~~that farm,~~ or is hauling live poultry from the farm where the  
 41 ~~live poultry is raised to any processing facility within 150 miles of~~  
 42 ~~that farm.~~ the point of origination:
  - 43 1. Agriculture crop products transported from a farm to a  
 44 processing plant or market.
  - 45 2. Water, fertilizer, pesticides, seeds, fuel, or animal waste  
 46 transported to or from a farm by a farm vehicle as defined in  
 47 G.S. 20-37.16(e)(3).
  - 48 3. Meats, livestock, or live poultry transported from the farm  
 49 where they were raised to a processing plant or market.

- 1                                   4.     Forest products originating and transported from a farm or
- 2                                   woodlands to market with delay interruption or delay for
- 3                                   further packaging or processing after initiating transport.
- 4                                   5.     Wood residuals, including wood chips, sawdust, mulch, or
- 5                                   tree bark from any site.
- 6                                   6.     Raw logs to market.
- 7                                   7.     Trees grown as Christmas trees from field, farm, stand, or
- 8                                   grove to a processing point.
- 9                                   b.     Repealed by Session Laws 1993 (Reg. Sess., 1994), c. 761, s. 13.
- 10                                  b1.    Does not operate on an interstate highway or exceed any posted
- 11                                  bridge weight limits during transportation or hauling of agricultural
- 12                                  products.
- 13                                  c.     Meets any of the following vehicle configurations:
- 14                                   1.     Does not exceed a single-axle weight of 22,000 pounds, a
- 15                                   tandem-axle weight of 42,000 pounds, or a gross weight of
- 16                                   90,000 pounds.
- 17                                   2.     Consists of a five or more axle combination vehicle that does
- 18                                   not exceed a single-axle weight of 26,000 pounds, a
- 19                                   tandem-axle weight of 44,000 pounds and a gross weight of
- 20                                   90,000 pounds, with a length of at least 48 feet between the
- 21                                   center of axle one and the center of the last axle of the vehicle
- 22                                   and a minimum of 11 feet between the center of axle one and
- 23                                   the center of axle two of the vehicle.
- 24                                   3.     Consists of a two-axle vehicle that does not exceed a gross
- 25                                   weight of 37,000 pounds and a single-axle weight of no more
- 26                                   than 27,000 pounds, with a length of at least 14 feet between
- 27                                   the center of axle one and the center of axle two of the
- 28                                   vehicle.
- 29                                  d.     ~~Is registered pursuant to G.S. 20-88 for the maximum weight allowed~~
- 30                                  ~~for the vehicle configuration as listed in subsection (b) of this~~
- 31                                  ~~section.~~
- 32                                  ...
- 33                                  (14)   Subsections (b) and (e) of this section do not apply to a vehicle that meets all
- 34                                  of the conditions below, but all other enforcement provisions of this Article
- 35                                  remain applicable:
- 36                                   a.     Is hauling aggregates from a distribution yard or a State-permitted
- 37                                   production site located within a North Carolina county contiguous to
- 38                                   the North Carolina State border to a destination in another state
- 39                                   adjacent to that county as verified by a weight ticket in the driver's
- 40                                   possession and available for inspection by enforcement personnel.
- 41                                   b.     Does not operate on an interstate highway or exceed any posted
- 42                                   bridge weight limits.
- 43                                   c.     Does not exceed 69,850 pounds gross vehicle weight and 53,850
- 44                                   pounds per axle grouping for tri-axle vehicles. For purposes of this
- 45                                   subsection, a tri-axle vehicle is a single power unit vehicle with a
- 46                                   three consecutive axle group on which the respective distance
- 47                                   between any two consecutive axles of the group, measured
- 48                                   longitudinally center to center to the nearest foot, does not exceed
- 49                                   eight feet. For purposes of this subsection, the tolerance provisions of
- 50                                   subsection (h) of this section do not apply, and vehicles must be
- 51                                   licensed in accordance with G.S. 20-88.

- d. Repealed by Session Laws 2001-487, s. 10, effective December 16, 2001.
  - e. ~~Is registered pursuant to G.S. 20-88 for the maximum weight allowed for the vehicle configuration as listed in subsection (b) of this section.~~
- (15) Subsections (b) and (e) of this section do not apply to a vehicle or vehicle combination that meets all of the conditions below, but all other enforcement provisions of this Article remain applicable:
- a. ~~Is hauling wood residuals, including wood chips, sawdust, mulch, or tree bark from any site; is hauling raw logs to first market; transporting bulk soil, bulk rock, sand, sand rock, or asphalt millings from a site that does not have a certified scale for weighing the vehicle; or is hauling animal waste products from the animal waste storage site to a farm or field.~~ vehicle.
  - b. Does not operate on an interstate highway, a posted light-traffic road, except as provided by subdivision (c)(5) of this section, or exceed any posted bridge weight limits.
  - c. Does not exceed a maximum gross weight 4,000 pounds in excess of what is allowed in subsection (b) of this section.
  - d. Does not exceed a single-axle weight of more than 22,000 pounds and a tandem-axle weight of more than 42,000 pounds.
  - e. ~~Is registered pursuant to G.S. 20-88 for the maximum weight allowed for the vehicle configuration as listed in subsection (b) of this section.~~

...."

**SECTION 7.** G.S. 20-118.4 reads as rewritten:

**"§ 20-118.4. Firefighting equipment exempt from size and weight restrictions while transporting or moving heavy equipment ~~in an emergency; for emergency response and preparedness and fire prevention; permits.~~**

(a) ~~Exemption From Weight and Size Restrictions During Emergency Response.~~ Restrictions. – Any overweight or oversize vehicle owned and operated by a State or local government or cooperating federal agency is exempt from the weight and size restrictions of this Chapter and implementing rules while it is actively engaged in (i) a response to a fire under the authority of a forest ranger pursuant to G.S. 106-899(a); (ii) a county request for forest protection assistance pursuant to G.S. 106-906; (iii) a request for assistance under a state of emergency declared pursuant to G.S. 14-288.12, 14-288.13, 14-288.14, 14-288.15, and any other applicable statutes and provisions of common law; (iv) a request for assistance under a disaster declared pursuant to G.S. 166A-6 or ~~G.S. 166A-8, G.S. 166A-8;~~ or (v) performance of other required duties for emergency preparedness and fire prevention, when the vehicle meets the following conditions:

- (1) The vehicle weight does not exceed the manufacturer's GVWR or 90,000 pounds gross weight, whichever is less.
- (2) The tri-axle grouping weight does not exceed 50,000 pounds, tandem axle weight does not exceed 42,000 pounds, and the single axle weight does not exceed 22,000 pounds.
- (3) A vehicle/vehicle combination does not exceed 12 feet in width and a total overall vehicle combination length of 75 feet from bumper to bumper.

(b) Marking, Lighting, and Bridge Requirements. – Vehicle/vehicle combinations subject to an exemption or permit under this section shall not be exempt from the requirement of a yellow banner on the front and rear measuring a total length of seven feet by 18 inches bearing the legend "Oversize Load" in 10 inch black letters 1.5 inches wide, and red or orange

1 flags measuring 18 inches square to be displayed on all sides at the widest point of load. In  
2 addition, when operating between sunset and sunrise, flashing amber lights shall be displayed  
3 on each side of the load at the widest point. Vehicle/vehicle combinations subject to an  
4 exemption or permit under this section shall not exceed posted bridge limits without prior  
5 approval from the Department of Transportation.

6 (c) Definition of "Response." – A response lasts from the time an overweight or  
7 oversize vehicle is requested until the vehicle is returned to its base location and restored to a  
8 state of readiness for another response.

9 (c1) Definition of "Preparedness and Fire Prevention." – Movement of equipment for the  
10 purpose of hazardous fuel reduction, training, equipment maintenance, pre-suppression fire line  
11 installation, fire prevention programs, and equipment staging. In order to qualify for the  
12 exception in subsection (a) of this section, equipment must remain configured during  
13 movement for one or more of these purposes.

14 (d) Discretionary Annual or Single Trip Permit for Emergency Response by a  
15 Commercial Vehicle. – The Department of Transportation may, in its discretion, issue an  
16 annual or single trip special use permit waiving the weight and size restrictions of this Chapter  
17 and implementing rules for a commercial overweight or oversize vehicle actively engaged in a  
18 response to a fire or a request for assistance from a person authorized to direct emergency  
19 operations. The Department of Transportation may condition the permit with safety measures  
20 that do not unreasonably delay a response. The Department of Transportation may issue the  
21 single trip special use permit upon verbal communication, provided the requestor submits  
22 appropriate documentation and fees on the next business day.

23 (e) No Liability for Issuance of Permit Under This Section. – The action of issuing a  
24 permit by the Department of Transportation under this section is a governmental function and  
25 does not subject the Department of Transportation to liability for injury to a person or damage  
26 to property as a result of the activity."

27 **SECTION 8.** G.S. 20-127 reads as rewritten:

28 "**§ 20-127. Windows and windshield wipers.**

29 ...

30 (b) Window Tinting Restrictions. – A window of a vehicle that is operated on a  
31 highway or a public vehicular area shall comply with this subsection. The windshield of the  
32 vehicle may be tinted only along the top of the windshield and the tinting may not extend more  
33 than five inches below the top of the windshield or below the AS1 line of the windshield,  
34 whichever measurement is longer. Provided, however, an untinted clear film which does not  
35 obstruct vision but which reduces or eliminates ultraviolet radiation from entering a vehicle  
36 may be applied to the windshield. Any other window of the vehicle may be tinted in  
37 accordance with the following restrictions:

38 (1) The total light transmission of the tinted window shall be at least thirty-five  
39 percent (35%). A vehicle window that, by use of a light meter approved by  
40 the Commissioner, measures a total light transmission of more than  
41 thirty-two percent (32%) is conclusively presumed to meet this restriction.

42 (2) The light reflectance of the tinted window shall be twenty percent (20%) or  
43 less.

44 (3) Tinted film or another material used to tint the window shall be nonreflective  
45 and shall not be red, yellow, or amber.

46 (b1) Notwithstanding subsection (b) of this section, a window of a vehicle that is  
47 operated on a public street or highway and which is subject to the provisions of Part 393 of  
48 Title 49 of the Code of Federal Regulations shall comply with the provisions of that Part.

49 (c) Tinting Exceptions. – The window tinting restrictions in subsection (b) of this  
50 section apply without exception to the windshield of a vehicle. The window tinting restrictions

1 in subdivisions (b)(1) and (b)(2) of this section do not apply to any of the following vehicle  
2 windows:

- 3 (1) A window of an excursion passenger vehicle, as defined in  
4 G.S. 20-4.01(27)a.  
5 ~~(2) A window of a for hire passenger vehicle, as defined in G.S. 20-4.01(27)b.~~  
6 ~~(3) A window of a common carrier of passengers, as defined in~~  
7 ~~G.S. 20-4.01(27)c.~~  
8 (4) A window of a motor home, as defined in G.S. 20-4.01(27)d2.  
9 (5) A window of an ambulance, as defined in G.S. 20-4.01(27)f.  
10 (6) The rear window of a property-hauling vehicle, as defined in  
11 G.S. 20-4.01(31).  
12 (7) A window of a limousine.  
13 (8) A window of a law enforcement vehicle.  
14 (9) A window of a multipurpose vehicle that is behind the driver of the vehicle.  
15 A multipurpose vehicle is a passenger vehicle that is designed to carry 10 or  
16 fewer passengers and either is constructed on a truck chassis or has special  
17 features designed for occasional off-road operation. A minivan and a pickup  
18 truck are multipurpose vehicles.  
19 (10) A window of a vehicle that is registered in another state and meets the  
20 requirements of the state in which it is registered.  
21 (11) A window of a vehicle for which the Division has issued a medical  
22 exception permit under subsection (f) of this section.

23 ...."

24 **SECTION 9.** G.S. 20-137.4A is amended by adding a new subsection to read:

25 "(a1) Motor Carrier Offense. – It shall be unlawful for any person to operate a  
26 commercial motor vehicle subject to Part 390 or 392 of Title 49 of the Code of Federal  
27 Regulations on a public street or highway or public vehicular area while using a mobile  
28 telephone or other electronic device in violation of those Parts. Nothing in this subsection shall  
29 be construed to prohibit the use of hands-free technology."

30 **SECTION 10.** G.S. 20-383 reads as rewritten:

31 **"§ 20-383. Inspectors and officers given enforcement authority.**

32 Only designated ~~inspectors and officers~~ inspectors, officers, and personnel of the  
33 Department of ~~Crime Control and Public Safety~~ shall have the authority to enforce the  
34 provisions of this Article and provisions of Chapter 62 applicable to motor transportation, and  
35 they are empowered to make complaint for the issue of appropriate warrants, information,  
36 presentments or other lawful process for the enforcement and prosecution of violations of the  
37 transportation laws against all offenders, whether they be regulated motor carriers or not, and to  
38 appear in court or before the North Carolina Utilities Commission and offer evidence at the  
39 trial pursuant to such processes."

40 **SECTION 11.** G.S. 136-28.5 is amended by adding a new subsection to read:

41 "(c) Notwithstanding G.S. 132-1, bids and documents submitted in response to an  
42 advertisement or request for proposal under this Chapter shall not be public record until the  
43 Department issues a decision to award or not to award the contract."

44 **SECTION 12.** G.S. 136-89.213(a) reads as rewritten:

45 **"§ 136-89.213. Administration of tolls and requirements for open road tolls.**

46 (a) Administration. – The Authority is responsible for collecting tolls on Turnpike  
47 projects. In exercising its authority under G.S. 136-89.183 to perform or procure services  
48 required by the Authority, the Authority may contract with one or more providers to perform  
49 part or all of the collection functions and may enter into agreements to exchange information  
50 that identifies motor vehicles and their owners with one or more of the following entities: the



1 Division of Motor Vehicles of the Department of Transportation, another state, another toll  
2 operator, or a toll collection-related organization.

3 (a1) Identifying information obtained by the Authority through an agreement is not a  
4 public record and is subject to the disclosure limitations in 18 U.S.C. § 2721, the federal  
5 Driver's Privacy Protection Act. ~~Act.~~ The Authority shall maintain the confidentiality of all  
6 information relating to electronic toll collection, including, but not limited to, personal  
7 information, financial information, transactions and transaction history, and information related  
8 to the collection of a toll or user fee, including, but not limited to, photographs or other  
9 recorded images or automatic vehicle identification or driver account information generated by  
10 radio-frequency identification or other electronic means. Notwithstanding the provisions of this  
11 section:

12 (1) The account holder may examine his own account information, and the  
13 Authority may use the account information only for purposes of collecting  
14 and enforcing tolls.

15 (2) A party, by authority of a proper court order, may inspect and examine  
16 confidential account information."

17 **SECTION 13.** G.S. 20-118(c)(16) reads as rewritten:

18 "(16) Subsections (b) and (e) of this section do not apply to a vehicle or vehicle  
19 combination that meets all of the conditions below, but all other enforcement  
20 provisions of this Article remain applicable:

21 a. Is hauling unhardened ready-mixed concrete.

22 b. Does not operate on an interstate highway or a posted light-traffic  
23 road, or exceed any posted bridge weight limits.

24 c. ~~Does not exceed a maximum gross weight of 66,000 pounds on a~~  
25 ~~three axle vehicle with a single axle~~ Has a single steer axle weight of  
26 no more than 22,000 ~~pounds, pounds~~ pounds and a tandem-axle weight of no  
27 more than 46,000 ~~pounds, pounds~~.

28 d. Does not exceed a maximum gross weight of 66,000 pounds on a  
29 three-axle vehicle with a length of at least 21 feet between the center  
30 of axle one and the center of axle three of the vehicle.

31 e. Does not exceed a maximum gross weight of 72,600 pounds on a  
32 four-axle vehicle with a length of at least 36 feet between the center  
33 of axle one and the center of axle four. The four-axle vehicle shall  
34 have a maximum gross weight of 66,000 pounds on axles one, two,  
35 and three with a length of at least 21 feet between the center of axle  
36 one and the center of axle three. For

37 For purposes of this subdivision, no additional weight allowances as found  
38 in this section shall apply for the gross weight, single-axle weight, and  
39 tandem-axle weight, and the tolerance allowed by subsection (h) of this  
40 section shall not apply."

41 **SECTION 14.** G.S. 147-86.23 reads as rewritten:

42 **"§ 147-86.23. Interest and penalties.**

43 A State agency shall charge interest at the rate established pursuant to G.S. 105-241.21 on a  
44 past-due account receivable from the date the account receivable was due until it is paid. A  
45 State agency shall add to a past-due account receivable a late payment penalty of no more than  
46 ten percent (10%) of the account receivable. A State agency may waive a late-payment penalty  
47 for good cause shown. If another statute requires the payment of interest or a penalty on a  
48 past-due account receivable, this section does not apply to that past-due account receivable.  
49 This section does not apply to money owed to the University of North Carolina Health Care  
50 System for health care ~~services, services~~ or to the North Carolina Turnpike Authority for money  
51 owed to the Authority for tolls."

1           **SECTION 15.** Notwithstanding 19A NCAC 02D .0607(e)(3), the Department of  
2 Transportation may permit sealed ship containers as nondivisible loads as allowed by Federal  
3 Highway Administration policy. All Department of Transportation permitting rules applied to  
4 other nondivisible loads shall also apply to sealed ship containers.

5           **SECTION 16.** The Department of Transportation shall initiate the process to  
6 conform the North Carolina Administrative Code to this act by striking the words "not to  
7 exceed 94,500 pounds" from the first sentence of 19A NCAC 02D .0607(e)(3).

8           **SECTION 17.** The provisions of S.L. 2009-345, as they apply to ferry vessels  
9 operated by the North Carolina Department of Transportation, become effective June 30, 2013.

10          **SECTION 18.** Prosecutions for offenses committed before the effective date of the  
11 section of this act that modifies the offense are not abated or affected by this act, and the  
12 statutes that would be applicable but for this act remain applicable to those prosecutions.

13          **SECTION 19.** Section 11 of this act becomes effective July 1, 2012, and applies to  
14 bids and documents submitted for advertisements and requests for proposal that are advertised  
15 or requested on or after that date. Section 1 of this act becomes effective January 1, 2013, and  
16 applies to drivers licenses issued on or after that date. Sections 8 and 9 of this act become  
17 effective December 1, 2012, and apply to offenses committed on or after that date. The  
18 remainder of this act is effective when it becomes law.