

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 1442*

Short Title: Trans. Ag. Products Exempt.

(Public)

Sponsors: Representatives Mitchell; Hill, Tolson, and Warwick.

Referred to: Agriculture, if favorable, Judiciary I.

May 25, 1998

A BILL TO BE ENTITLED

1 AN ACT TO EXEMPT THE TRANSPORTATION OF CERTAIN AGRICULTURAL
2 PRODUCTS FROM VARIOUS REQUIREMENTS IN CONFORMITY WITH
3 FEDERAL REGULATIONS, AS RECOMMENDED BY THE ENVIRONMENTAL
4 REVIEW COMMISSION.
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6 The General Assembly of North Carolina enacts:

7 Section 1. G.S. 20-377 reads as rewritten:

8 "**§ 20-377. General powers of ~~Division~~-Division; agricultural exemption.**

9 (a) The Division shall have and exercise such general power and authority to
10 supervise and control the motor carriers of the State as may be necessary to carry out the
11 laws providing for their regulation, and all such other powers and duties as may be
12 necessary or incident to the proper discharge of its duties.

13 (b) The definitions set out in 49 Code of Federal Regulations § 171.8 apply to this
14 subsection. The citations to the Code of Federal Regulations (CFR) refer to the 1
15 October 1997 Edition of the CFR. The transportation of an agricultural product, other
16 than a Class 2 material, over local roads between fields of the same farm by a farmer
17 operating as an intrastate private motor carrier is exempt from the requirements of Parts
18 171 through 180 of 49 CFR as provided in 49 CFR § 173.5."

19 Section 2. This act is effective when it becomes law.