

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 1474*
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Short Title: MV Technical and Other Changes.

(Public)

Sponsors:

Referred to:

May 25, 1998

1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE MOTOR VEHICLE LAWS TO CONFORM WITH
3 FEDERAL LAW AND TO MAKE TECHNICAL AND OTHER CHANGES.
4 The General Assembly of North Carolina enacts:
5 Section 1. G.S. 20-4.01(25a) reads as rewritten:
6 "(25a) Out of Service Order. —~~A temporary prohibition against driving a~~
7 ~~commercial motor vehicle.~~ A declaration that a driver, a commercial
8 motor vehicle, or a motor carrier operation is out-of-service."
9 Section 2. G.S. 20-7(f) reads as rewritten:
10 "(f) Expiration and Temporary License. — The first drivers license the Division
11 issues to a person expires on the person's fourth or subsequent birthday that occurs after
12 the license is issued and on which the individual's age is evenly divisible by five, unless
13 this subsection sets a different expiration date. The first drivers license the Division
14 issues to a person who is at least 17 years old but is less than 18 years old expires on the

1 person's twentieth birthday. The first drivers license the Division issues to a person who
2 is at least 62 years old expires on the person's birthday in the fifth year after the license is
3 issued, whether or not the person's age on that birthday is evenly divisible by five.

4 A drivers license that was issued by the Division and is renewed by the Division
5 expires five years after the expiration date of the license that is renewed. A person may
6 apply to the Division to renew a license during the ~~60-day~~180-day period before the
7 license expires. The Division may not accept an application for renewal made before the
8 ~~60-day~~180-day period begins.

9 The Division may renew by mail a drivers license issued by the Division to a person
10 who meets any of the following descriptions:

- 11 (1) Is serving on active duty in the armed forces of the United States and is
12 stationed outside this State.
- 13 (2) Is a resident of this State and has been residing outside the State for at
14 least 30 continuous days.

15 When renewing a license by mail, the Division may waive the examination that would
16 otherwise be required for the renewal and may impose any conditions it finds advisable.
17 A license renewed by mail is a temporary license that expires 60 days after the person to
18 whom it is issued returns to this State."

19 Section 2.1. G.S. 20-11(h) reads as rewritten:

20 "(h) ~~Out-of-State Exceptions.~~Exception for Persons 16 to 18 Who Have an
21 Unrestricted Out-of-State License. – A person who is at least 16 years old but less than
22 18 years old, who was a resident of another state and has an unrestricted drivers license
23 issued by that state, and who becomes a resident of this State may obtain one of the
24 following upon submission of a driving eligibility certificate or a high school diploma or
25 its equivalent:

- 26 (1) A temporary permit, if the person has not completed a drivers education
27 program that meets the requirements of the Superintendent of Public
28 Instruction but is currently enrolled in a drivers education program that
29 meets these requirements. A temporary permit is valid for the period
30 specified in the permit and authorizes the holder of the permit to drive a
31 specified type or class of motor vehicle when in possession of the
32 permit, subject to any restrictions imposed by the Division concerning
33 time of driving, supervision, and passenger limitations. The period must
34 end within 10 days after the expected completion date of the drivers
35 education program in which the applicant is enrolled.
- 36 (2) A full provisional license, if the person has completed a drivers
37 education program that meets the requirements of the Superintendent of
38 Public Instruction, has held the license issued by the other state for at
39 least 12 months, and has not been convicted during the preceding six
40 months of a motor vehicle moving violation, a seat belt infraction, or an
41 offense committed in another jurisdiction that would be a motor vehicle
42 moving violation or seat belt infraction if committed in this State.

- 1 (3) A limited provisional license, if the person has completed a drivers
2 education program that meets the requirements of the Superintendent of
3 Public Instruction but either did not hold the license issued by the other
4 state for at least 12 months or was convicted during the preceding six
5 months of a motor vehicle moving violation, a seat belt infraction, or an
6 offense committed in another jurisdiction that would be a motor vehicle
7 moving violation or seat belt infraction if committed in this State."

8 Section 2.2. G.S. 20-11 is amended by adding a new subsection to read:

9 "(h1) Exception for Persons 16 to 18 Who Have an Out-of-State Restricted License.

10 – A person who is at least 16 years old but less than 18 years old, who was a resident of
11 another state and has a restricted drivers license issued by that state, and who becomes a
12 resident of this State may obtain one of the following:

- 13 (1) A limited provisional license, if the person has completed a drivers
14 education program that meets the requirements of the Superintendent of
15 Public Instruction, held the restricted license issued by the other state
16 for at least 12 months, and whose parent or guardian certifies that the
17 person has not been convicted during the preceding six months of a
18 motor vehicle moving violation, a seat belt infraction, or an offense
19 committed in another jurisdiction that would be a motor vehicle moving
20 violation or seat belt infraction if committed in this State.

- 21 (2) A limited learners permit, if the person has completed a drivers
22 education program that meets the requirements of the Superintendent of
23 Public Instruction but either did not hold the restricted license issued by
24 the other state for at least 12 months or was convicted during the
25 preceding six months of a motor vehicle moving violation, a seat belt
26 infraction, or an offense committed in another jurisdiction that would be
27 a motor vehicle moving violation or seat belt infraction if committed in
28 this State. A person who qualifies for a limited learners permit under
29 this subdivision and whose parent or guardian certifies that the person
30 has not been convicted of a moving violation in the preceding six
31 months shall be deemed to have held a limited learners permit in this
32 State for each month the person held a restricted license in another
33 state."

34 Section 2.3. G.S. 20-11 is amended by adding a new subsection to read:

35 "(h2) Exception for Persons Age 15 Who Have an Out-of-State Unrestricted or
36 Restricted License. – A person who is age 15, who was a resident of another state, has an
37 unrestricted or restricted drivers license issued by that state, and who becomes a resident
38 of this State may obtain a limited learners permit if the person has completed a drivers
39 education program that meets the requirements of the Superintendent of Public
40 Instruction. A person who qualifies for a limited learners permit under this subsection
41 and whose parent or guardian certifies that the person has not been convicted of a moving
42 violation in the preceding six months shall be deemed to have held a limited learners

1 permit in this State for each month the person held an unrestricted or restricted license in
2 another state."

3 Section 2.4. G.S. 20-11(i) reads as rewritten:

4 "(i) Application. – An application for a permit or license authorized by this section
5 must be signed by both the applicant and another person. That person must ~~be~~ be:

6 (1) ~~the~~ The applicant's parent or guardian if the parent or guardian resides in
7 this State and is qualified to be a supervising driver. In all other
8 circumstances, that person must be an adult approved by the Division.
9 guardian;

10 (2) A person approved by the applicant's parent or guardian; or

11 (3) A person approved by the Division."

12 Section 2.5. G.S. 20-11(k) reads as rewritten:

13 "(k) Supervising Driver. – A supervising driver must be a parent or guardian of the
14 permit holder or license holder ~~if a parent or guardian signed the application for the~~
15 ~~permit or license. If a parent or guardian did not sign the application, the supervising~~
16 ~~driver must be the adult who signed the application. or a responsible person approved by~~
17 the parent or guardian or the Division. A supervising driver must be a licensed driver who
18 has been licensed to drive for at least five years. A supervising driver must sign the
19 application for a permit or license. Each permit or license issued pursuant to this section
20 shall be limited to a maximum of two supervising drivers."

21 Section 3. G.S. 20-17.4 reads as rewritten:

22 "**§ 20-17.4. Disqualification to drive a commercial motor vehicle.**

23 (a) One Year. – Any of the following disqualifies a person from driving a
24 commercial motor vehicle for one year:

25 (1) A first conviction of G.S. 20-138.1, driving while impaired, that
26 occurred while the person was driving a commercial motor vehicle.

27 (2) A first conviction of G.S. 20-138.2, driving a commercial motor vehicle
28 while impaired.

29 (3) A first conviction of G.S. 20-166, hit and run, involving a commercial
30 motor vehicle driven by the person.

31 (4) A first conviction of a felony in the commission of which a commercial
32 motor vehicle was used.

33 (5) Refusal to submit to a chemical test when charged with an implied-
34 consent offense, as defined in G.S. 20-16.2, that occurred while the
35 person was driving a commercial motor vehicle.

36 (b) Modified Life. – A person who has been disqualified from driving a
37 commercial motor vehicle for a conviction or refusal described in subsection (a) who, as
38 the result of a separate incident, is subsequently convicted of an offense or commits an
39 act requiring disqualification under subsection (a) is disqualified for life. The Division
40 may adopt guidelines, including conditions, under which a disqualification for life under
41 this subsection may be reduced to 10 years.

42 (c) Life. – A person is disqualified from driving a commercial motor vehicle for
43 life if that person uses a commercial motor vehicle in the commission of any felony

1 involving the manufacture, distribution, or dispensing of a controlled substance, or
2 possession with intent to manufacture, distribute, or dispense a controlled substance.

3 (d) Less Than a Year. – A person is disqualified from driving a commercial motor
4 vehicle for 60 days if that person is convicted of two serious traffic violations, or 120
5 days if convicted of three or more serious traffic violations, committed in a commercial
6 motor vehicle arising from separate incidents occurring within a three-year period.

7 (e) Three Years. – A person is disqualified from driving a commercial motor
8 vehicle for three years if that person is convicted of an offense or commits an act
9 requiring disqualification under subsection (a) and the offense or act occurred while the
10 person was transporting a hazardous material that required the motor vehicle driven to be
11 placarded.

12 (f) Revocation Period. – A person is disqualified from driving a commercial motor
13 vehicle for the period during which the person's regular or commercial drivers license is
14 revoked.

15 (g) Violation of Out-of-Service Order. – Any person convicted for violating an
16 out-of-service order, except as described in subsection (h) of this section, shall be
17 disqualified as follows:

18 (1) A person is disqualified from driving a commercial vehicle for a period
19 of 90 days if convicted of a first violation of an out-of-service order.

20 (2) A person is disqualified for a period of one year if convicted of a second
21 violation of an out-of-service order during any 10-year period, arising
22 from separate incidents.

23 (3) A person is disqualified for a period of three years if convicted of a third
24 or subsequent violation of an out-of-service order during any 10-year
25 period, arising from separate incidents.

26 (h) Violation of Out-of-Service Order; Special Rule for Hazardous Materials and
27 Passenger Offenses. – Any person convicted for violating an out-of-service order while
28 transporting hazardous materials or while operating a commercial vehicle designed or
29 used to transport more than 15 passengers, including the driver, shall be disqualified as
30 follows:

31 (1) A person is disqualified for a period of 180 days if convicted of a first
32 violation of an out-of-service order.

33 (2) A person is disqualified for a period of three years if convicted of a
34 second or subsequent violation of an out-of-service order during any 10-
35 year period, arising from separate incidents.

36 (i) Disqualification for Out-of-State Violations. – The Division shall withdraw the
37 privilege to operate a commercial vehicle of any resident of this State upon receiving
38 notice of the person's conviction in another state for an offense that, if committed in this
39 State, would be grounds for disqualification. The period of disqualification shall be the
40 same as if the offense occurred in this State.

41 (j) Disqualification of Persons Without Commercial Drivers Licenses. – Any
42 person convicted of an offense that requires disqualification under this section, but who
43 does not hold a commercial drivers license, shall be disqualified from operating a

1 commercial vehicle in the same manner as if the person held a valid commercial drivers
2 license."

3 Section 4. G.S. 20-37.12(b) reads as rewritten:

4 "(b) The out-of-service criteria as referred to in 49 C.F.R. §§~~392.5 and 395.13~~, as
5 ~~adopted by the Division, Subchapter B~~ apply to a person who drives a commercial motor
6 vehicle. No person shall drive a commercial motor vehicle on the highways of this State
7 in violation of an out-of-service order."

8 Section 5. G.S. 20-37.16(c) reads as rewritten:

9 "(c) Endorsements. – The endorsements required to drive certain motor vehicles are
10 as follows:

<u>Endorsement</u>	<u>Vehicles That Can Be Driven</u>
H	Vehicles carrying hazardous materials, other than tank vehicles <u>Vehicles, regardless of size or class, except tank vehicles, when transporting hazardous materials that require the vehicle to be placarded</u>
M	Motorcycles
N	Tank vehicles not carrying hazardous materials
P	Vehicles carrying passengers
T	Double trailers
X	Tank vehicles carrying hazardous materials.

21
22 To obtain an H or an X endorsement, an applicant must take a test. This requirement
23 applies when a person first obtains an H or an X endorsement and each time a person
24 renews an H or an X endorsement. An applicant who has an H or an X endorsement
25 issued by another state who applies for an H or an X endorsement must take a test unless
26 the person has passed a test that covers the information set out in 49 C.F.R. § 383.121
27 within the preceding two years."

28 Section 6. G.S. 20-115.1(b) reads as rewritten:

29 "(b) Motor vehicle combinations consisting of a semitrailer of not more than 53 feet
30 in length and a truck tractor may be operated on the interstate highways (except those
31 exempted by the United States Secretary of Transportation pursuant to 49 U.S.C. 2311(i))
32 and federal-aid primary system highways designated by the United States Secretary of
33 Transportation provided ~~that that~~:

- 34 (1) ~~any~~ Any semitrailer in excess of 48 feet in length shall not be permitted
35 ~~unless unless~~:
- 36 a. ~~the~~ The distance between the kingpin of the trailer and the
37 rearmost ~~axle axle~~, or a point midway between the two rear axles,
38 if the two rear axles are a tandem axle, does not exceed 41 feet;
39 ~~and or~~
 - 40 b. The semitrailer is used exclusively or primarily to transport
41 vehicles in connection with motorsports competition events, and
42 the distance between the kingpin of the trailer and the rearmost

1 axle, or a point midway between the two rear axles, if the two
 2 rear axles are a tandem axle, does not exceed 46 feet; and
 3 (2) ~~provided that any~~ Any semitrailer in excess of 48 feet is equipped with a
 4 rear underride guard of substantial construction consisting of a
 5 continuous lateral beam extending to within four inches of the lateral
 6 extremities of the semitrailer and located not more than 30 inches from
 7 the surface as measured with the vehicle empty and on a level surface."

8 Section 7. G.S. 20-116(d) reads as rewritten:

9 "(d) A single vehicle having two axles shall not exceed ~~35~~ 40 feet in
 10 length of extreme overall dimensions inclusive of front and rear bumpers. ~~Provided,~~
 11 ~~however, a bus or motor home with two axles shall not exceed 40 feet in length overall of~~
 12 ~~dimensions inclusive of front and rear bumpers.~~ A single vehicle having three axles shall not
 13 exceed 40 feet in length overall of dimensions inclusive of front and rear bumpers.
 14 Provided, ~~further,~~ ~~however,~~ trucks transporting unprocessed cotton from farm to gin shall
 15 not exceed 48 feet in length overall of dimensions inclusive of front and rear bumpers. A
 16 truck-tractor and semitrailer shall be regarded as two vehicles for the purpose of
 17 determining lawful length and license taxes."

18 Section 8. G.S. 20-118(b)(3) reads as rewritten:

19 "(3) The gross weight imposed upon the highway by any axle group of a
 20 vehicle or combination of vehicles shall not exceed the maximum
 21 weight given for the respective distance between the first and last axle
 22 of the group of axles measured longitudinally to the nearest foot as set
 23 forth in the following table:

24

		Distance Maximum Weight in Pounds for any Group of Two					
		Between or More Consecutive Axles					
Axles*		2 Axles	3 Axles	4 Axles	5 Axles	6 Axles	7 Axles
28	4	38000					
29	5	38000					
30	6	38000					
31	7	38000					
32	8 or less	38000	38000				
33	more than 8		38000	42000			
34	9	39000	42500				
35	10	40000	43500				
36	11	44000					
37	12	45000	50000				
38	13	45500	50500				
39	14	46500	51500				
40	15	47000	52000				
41	16	48000	52500	58000			
42	17	48500	53500	58500			
43	18	49500	54000	59000			

1	19	50000	54500	60000
2	20	51000	55500	60500 66000
3	21	51500	56000	61000 66500
4	22	52500	56500	61500 67000
5	23	53000	57500	62500 68000
6	24	54000	58000	63000 68500 74000
7	25	54500	58500	63500 69000 74500
8	26	55500	59500	64000 69500 75000
9	27	56000	60000	65000 70000 75500
10	28	57000	60500	65500 71000 76500
11	29	57500	61500	66000 71500 77000
12	30	58500	62000**	66500 72000 77500
13	31	59000	62500**	67500 72500 78000
14	32	60000	63500**	68000 73000 78500
15	33	64000**	68500	74000 79000
16	34	64500**	69000	74500 80000
17	35	65500**	70000	75000
18	36	66000**	70500	75500
19	37	66500**	71000	76000
20	38	67500**	72000	77000
21	39	68000	72500	77500
22	40	68500	73000	78000
23	41	69500	73500	78500
24	42	70000	74000	79000
25	43	70500	75000	80000
26	44	71500	75500	
27	45	72000	76000	
28	46	72500	76500	
29	47	73500	77500	
30	48	74000	78000	
31	49	74500	78500	
32	50	75500	79000	
33	51	76000	80000	
34	52	76500		
35	53	77500		
36	54	78000		
37	55	78500		
38	56	79500		
39	57	80000		

40 *Distance in Feet Between the Extremes of any Group of Two or More Consecutive
 41 Axles.

42 **See exception in G.S. 20-118(c)(1)."

43 Section 9. G.S. 20-118(c)(10) reads as rewritten:

1 "(10) Fully enclosed motor vehicles designed specifically for collecting,
2 compacting and hauling garbage from residences, or from garbage
3 dumpsters shall, when operating for those purposes, be allowed a single
4 axle weight not to exceed 23,500 pounds on the steering axle on
5 vehicles equipped with a boom, or on the rear axle on vehicles loaded
6 from the rear. This exemption shall not apply to vehicles operating on
7 interstate highways, vehicles transporting hazardous waste as defined in
8 G.S. 130A-290(a)(8), spent nuclear fuel regulated under G.S. 20-167.1,
9 low-level radioactive waste as defined in G.S. 104E-5(9a), or
10 radioactive material as defined in G.S. 104E-5(14)."

11 Section 9.1. G.S. 20-118(c) is amended by adding a new subdivision to read:

12 "(13) Vehicles specifically designed for fire fighting that are owned by a
13 municipal or rural fire department. This exception does not apply to
14 vehicles operating on interstate highways."

15 Section 9.2. G.S. 20-183(b) reads as rewritten:

16 "(b) In addition to other duties and powers heretofore existing, all law-enforcement
17 officers charged with the duty of enforcing the motor vehicle laws are authorized to issue
18 warning tickets to motorists for conduct constituting a potential hazard to the motoring
19 public which does not amount to a definite, clear-cut, substantial violation of the motor
20 vehicle laws. Each warning ticket issued ~~shall be prenumbered and~~ shall contain
21 information necessary to identify the offender, and shall be signed by the issuing officer.
22 A copy of each warning ticket issued shall be delivered to ~~such offender and a copy thereof~~
23 ~~forwarded by the issuing officer forthwith to the Driver License Section of the Division of Motor~~
24 ~~Vehicles~~ the offender. Information from issued warning tickets shall be made available to
25 the Drivers License Section of the Division of Motor Vehicles in a manner approved by
26 the Commissioner but shall not be filed with or in any manner become a part of the
27 offender's driving record. Warning tickets issued as well as the fact of issuance shall be
28 privileged information and available only to authorized personnel of the Division for
29 statistical and analytical purposes."

30 Section 10. G.S. 20-217(a) reads as rewritten:

31 "(a) The driver of any vehicle upon approaching from any direction on the same
32 ~~street or highway~~ street, highway, or public vehicular area any school bus (including
33 privately owned buses transporting children and school buses transporting senior citizens
34 under G.S. 115C-243), while the bus is displaying its mechanical stop signal or flashing
35 red stoplights, and is stopped for the purpose of receiving or discharging passengers, shall
36 bring ~~his~~ the vehicle to a full stop before passing or attempting to pass the bus, and shall
37 remain stopped until the mechanical stop signal has been withdrawn, the flashing red
38 stoplights have been turned off, and the bus has moved on."

39 Section 11. G.S. 20-376(1) reads as rewritten:

40 "(1) Federal safety and hazardous materials regulations. – The federal motor
41 carrier safety regulations contained in 49 C.F.R. Parts 170 through 190,
42 382-382, and 390 through 398."

43 Section 11.1. G.S. 163-82.19 reads as rewritten:

1 **"§ 163-82.19. Voter registration at drivers license offices.**

2 The Division of Motor Vehicles shall, pursuant to the rules adopted by the State
3 Board of Elections, modify its forms so that any eligible person who applies for original
4 issuance, renewal or correction of a drivers license, or special identification card issued
5 under G.S. 20-37.7 may, on a part of the form, complete an application to register to vote
6 or to update his registration if the voter has changed his address or moved from one
7 precinct to another or from one county to another. The person taking the application shall
8 ask if the applicant is a citizen of the United States. If the applicant states that the
9 applicant is not a citizen of the United States, or declines to answer the question, the
10 person taking the application shall inform the applicant that it is a felony for a person
11 who is not a citizen of the United States to apply to register to vote. Any person who
12 willfully and knowingly and with fraudulent intent gives false information on the
13 application is guilty of a Class I felony. The application shall state in clear language the
14 penalty for violation of this section. The necessary forms shall be prescribed by the State
15 Board of Elections. The form must ask for the previous voter registration address of the
16 voter, if any. If a previous address is listed, and it is not in the county of residence of the
17 applicant, the appropriate county board of elections shall treat the application as an
18 authorization to cancel the previous registration and also process it as such under the
19 procedures of G.S. 163-82.9. If a previous address is listed and that address is in the
20 county where the voter applies to register, the application shall be processed as if it had
21 been submitted under G.S. 163-82.9.

22 Registration shall become effective as provided in G.S. 163-82.7. Applications to
23 register to vote accepted at a drivers license office under this section until the deadline
24 established in G.S. 163-82.6(c)(2) shall be treated as timely made for an election, and no
25 person who completes an application at that drivers license office shall be denied the vote
26 in that election for failure to apply earlier than that deadline.

27 All applications shall be forwarded by the Department of Transportation to the
28 appropriate board of elections not later than five business days after the date of
29 acceptance, according to rules which shall be promulgated by the State Board of
30 Elections."

31 Section 12. G.S. 20-381 reads as rewritten:

32 **"§ 20-381. Specific powers and duties of Division applicable to motor carriers.**

33 The Division has the following powers and duties concerning motor carriers:

- 34 (1) To prescribe qualifications and maximum hours of service of drivers
35 and their helpers.
- 36 (1a) To set safety standards for vehicles of motor carriers engaged in foreign,
37 interstate, or intrastate commerce over the highways of this State and for
38 the safe operation of these vehicles. The Division may stop, enter upon,
39 and perform inspections of motor carriers' vehicles in operation to
40 determine compliance with these standards and may conduct any
41 investigations and tests it finds necessary to promote the safety of
42 equipment and the safe operation on the highway of these vehicles.

- 1 (1b) To enforce this Article, rules adopted under this Article, and the federal
2 safety and hazardous materials regulations.
- 3 (2) To enter the premises of a motor carrier to inspect a motor vehicle or
4 any equipment used by the motor carrier in transporting passengers ~~for~~
5 ~~property~~ or property.
- 6 (2a) To prohibit the use by a motor carrier of any motor vehicle or motor
7 vehicle equipment the Division finds unsafe for use in the transportation
8 of passengers or property on a highway. If an agent of the Division finds
9 a motor vehicle of a motor carrier in actual use upon the highways in the
10 transportation of passengers or property to be unsafe or any parts thereof
11 or any equipment thereon to be unsafe and is of the opinion that further
12 use of such vehicle, parts or equipment are imminently dangerous, the
13 agent may require the operator thereof to discontinue its use and to
14 substitute therefor a safe vehicle, parts or equipment at the earliest
15 possible time and place, having regard for both the convenience and the
16 safety of the passengers or property. When an inspector or agent stops a
17 motor vehicle on the highway, under authority of this section, and the
18 motor vehicle is in operative condition and its further movement is not
19 dangerous to the passengers or property or to the users of the highways,
20 it shall be the duty of the inspector or agent to guide the vehicle to the
21 nearest point of substitution or correction of the defect. Such agents or
22 inspectors shall also have the right to stop any motor vehicle which is
23 being used upon the public highways for the transportation of
24 passengers or property by a motor carrier subject to the provisions of
25 this Article and to eject therefrom any driver or operator who shall be
26 operating or be in charge of such motor vehicle while under the
27 influence of alcoholic ~~beverages~~ beverages or impairing substances. It
28 shall be the duty of all inspectors and agents of the Division to make a
29 written report, upon a form prescribed by the Division, of inspections of
30 all motor equipment and a copy of each such written report, disclosing
31 defects in such equipment, shall be served promptly upon the motor
32 carrier operating the same, either in person by the inspector or agent or
33 by mail. Such agents and inspectors shall also make and serve a similar
34 written report in cases where a motor vehicle is operated in violation of
35 this Chapter or, if the motor vehicle is subject to regulation by the North
36 Carolina Utilities Commission, of Chapter 62 of the General Statutes.
- 37 (3) To relieve the highways of all undue burdens and safeguard traffic
38 thereon by adopting and enforcing rules and orders designed and
39 calculated to minimize the dangers attending transportation on the
40 highways of all hazardous materials and other commodities."

41 Section 13. Sections 1 through 12 of this act become effective December 1,
42 1998. Sections 2.1, 2.2, 2.3, 2.4, 2.5, and 13 are effective when this act becomes law.