

Farm Exemptions Presentation



Definitions

➤ G. S. 20-4.01

(11) Farm Tractor – Every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines, and other implements of husbandry.



Definitions

- (11a) For-Hire Motor Carrier. - A person who transports passengers or property by motor vehicle for compensation.
- (15) Implement of Husbandry. - Every vehicle which is designed for agricultural purposes and used exclusively in the conduct of agricultural operations

G.S. 20-4.01 cont.



Definitions

(31) Property Hauling Vehicles

a. vehicles used for the transportation of property.

d. Semitrailers. - Vehicles without motive power designed for carrying property or persons and for being drawn by a motor vehicle, and so constructed that part of their weight or their load rests upon or is carried by the pulling vehicle.

e. Trailers. - Vehicles without motive power designed for carrying property or persons wholly on their own structure and to be drawn by a motor vehicle, including "pole trailers" or a pair of wheels used primarily to balance a load rather than for purposes of transportation.

G.S. 20-4.01 cont.



Age limits for drivers of public passenger-carrying vehicles.

➤ G. S. 20-10

- No person 14 years of age or under, whether licensed under this Article or not, shall operate any road machine, farm tractor or motor driven implement of husbandry on any highway within this State.

Exempt from Registration

➤ G. S. 20-51

- (1) Any such vehicle which is driven or moved upon a highway only for the purpose of crossing such highway from one property to another.
- (3) **Any implement of husbandry, farm tractor, road construction or maintenance machinery or other vehicle which is not self-propelled that was designed for use in work off the highway and which is operated on the highway for the purpose of going to and from such non-highway projects.**

Exempt from Registration (cont.)

- (5) Farm tractors equipped with rubber tires and trailers or semitrailers when attached thereto and when used by a farmer, his tenant, agent, or employee in transporting his own farm implements, farm supplies, or farm products from place to place on the same farm, from one farm to another, from farm to market, or from market to farm. This exemption shall extend also to any tractor, implement of husbandry, and trailer or semitrailer while on any trip within a radius of 10 miles from the point of loading, provided that the vehicle does not exceed a speed of 35 miles per hour. This section shall not be construed as granting any exemption to farm tractors, implements of husbandry, and trailers or semitrailers which are operated on a for-hire basis, whether money or some other thing of value is paid or given for the use of such tractors, implements of husbandry, and trailers or semitrailers.

G.S. 20-51 cont.

Exempt from Registration (cont.)

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

G.S. 20-51 cont.

Exempt from Registration (cont.)

- (7) Those small farm trailers known generally as tobacco-handling trailers, tobacco trucks or tobacco trailers when used by a farmer, his tenant, agent or employee, when transporting or otherwise handling tobacco in connection with the pulling, tying or curing thereof.

G.S. 20-51 cont.

Exempt from Registration (cont.)

- (16) A vehicle that meets all of the following conditions is exempt from the requirement of registration and certificate of title. The provisions of G.S. 105-449.117 continue to apply to the vehicle and to the person in whose name the vehicle would be registered.
- a. Is an agricultural spreader vehicle. An "agricultural spreader vehicle" is a vehicle that is designed for off-highway use on a farm to spread fertilizer, seed, lime, or other agricultural products.
- b. Is driven on the highway only for the purpose of going from the location of its supply source for fertilizer or other products to and from a farm.
- c. Does not exceed a speed of 45 miles per hour.
- d. Does not drive outside a radius of 50 miles from the location of its supply source for fertilizer and other products.
- e. Is driven by a person who has a license appropriate for the class of the vehicle.
- f. Is insured under a motor vehicle liability policy in the amount required under G.S. 20-309.
- g. Displays a valid federal safety inspection decal if the vehicle has a gross vehicle weight rating of at least 10,001 pounds.



G.S. 20-51 cont.

ALLOW ALL-TERRAIN VEHICLES AND UTILITY VEHICLES USED FOR AGRICULTURAL PURPOSES TO OPERATE ON PUBLIC ROADS

- "§ 20-171.22. Exceptions.
 - ◆ (a1) Any person may operate an all-terrain vehicle or utility vehicle on a public street or highway while engaged in farming operations.

Apportioned Registration

- Farm Tags and other Restricted plates are exempt. This is referred in the International Registration Plan Manual.
- Raleigh Office: 919-861-3720
- Charlotte Office: 704-392-2112

Property-Hauling Vehicles

- G. S. 20-88
- License plates issued at the farmer rate shall be placed upon trucks and truck-tractors that are operated for the primary purpose of carrying or transporting the applicant's farm products, raised or produced on the applicant's farm, and farm supplies. The license plates shall not be used on a vehicle operated in hauling for hire.



Property-Hauling Vehicles

- The term "farmer" as used in this subsection means any person engaged in the raising and growing of farm products on a farm in North Carolina not less than 10 acres in area, and who does not engage in the business of buying products for resale.

G.S. 20-88 cont.

Property-Hauling Vehicles



- (4) "Farm products" means any food crop, livestock, poultry, dairy products, flower bulbs, or other nursery products and other agricultural products designed to be used for food purposes, including in the term "farm products" also cotton, tobacco, logs, bark, pulpwood, tannic acid wood and other forest products grown, produced, or processed by the farmer.

G.S. 20-88 cont.



Size of Vehicles and Loads

➤ G. S. 20-116 (a)

- The total outside width of any vehicle or the load thereon shall not exceed 102 inches, except as otherwise provided in this section. When hogsheads of tobacco are being transported, a tolerance of six inches is allowed. When sheet or bale tobacco is being transported the load must not exceed a width of 114 inches at the top of the load and the bottom of the load at the truck bed must not exceed the width of 102 inches inclusive of allowance for load shifting or settling. Vehicles (other than passenger buses) that do not exceed the overall width of 102 inches and otherwise provided in this section may be operated in accordance with G.S. 20-115.1(c), (f), and (g).

- **ALLOW OVERSIZE TRANSPORTATION OF HAY BALES**

- SECTION 5. G.S. 20-116 is amended by adding a new subsection to read:

- "§ 20-116. Size of vehicles and loads.

- ...

- (o) Any vehicle carrying baled hay from place to place on the same farm, from one

- farm to another, from farm to market, or from market to farm that does not exceed 12 feet in

- width may be operated on the highways of this State. Vehicles carrying baled hay that exceed

- 10 feet in width may only be operated under the following conditions:

- (1) The vehicle may only be operated during daylight hours.

- (2) The vehicle shall display a red flag or a flashing warning light on both the rear and front ends. The flags or lights shall be attached to the equipment as

- to be visible from both directions at all times while being operated on the

- public highway for not less than 300 feet."

Maximum Length Law

➤ G. S. 20-116(d)

- (d) Maximum Length. - The following maximum lengths apply to vehicles. A truck-tractor and semitrailer shall be regarded as two vehicles for the purpose of determining lawful length and license taxes.
- (1) Except as otherwise provided in this subsection, a single vehicle having two or more axles shall not exceed 40 feet in length overall of dimensions inclusive of front and rear bumpers.
- (2) Trucks transporting unprocessed cotton from farm to gin, or unprocessed sage from farm to market shall not exceed 50 feet in length overall of dimensions inclusive of front and rear bumpers.
- (3) Recreational vehicles shall not exceed 45 feet in length overall, excluding bumpers and mirrors.

Combines and Self Propelled Farm Equipment

➤ G. S. 20-116 (j)

- (j) Nothing in this section shall be construed to prevent the operation of self-propelled grain combines or other self-propelled farm equipment with or without implements, not exceeding 25 feet in width on any highway, unless the operation violates a provision of this subsection. Farm equipment includes a vehicle that is designed exclusively to transport compressed seed cotton from a farm to a gin and has a self-loading bed. Combines or equipment which exceed 10 feet in width may be operated only if they meet all of the conditions listed in this subsection. A violation of one or more of these conditions does not constitute negligence per se
- (1) **The equipment may only be operated during daylight hours.**

Combines and Self Propelled Farm Equipment

- (2) The equipment must display a red flag on front and rear ends or a flashing warning light. The flags or lights shall be attached to the equipment as to be visible from both directions at all times while being operated on the public highway for not less than 300 feet
- (3) Equipment covered by this section, which by necessity must travel more than 10 miles or where by nature of the terrain or obstacles the flags or lights referred to in subdivision (2) of this subsection are not visible from both directions for 300 feet at any point along the proposed route, must be preceded at a distance of 300 feet and followed at a distance of 300 feet by a flagman in a vehicle having mounted thereon an appropriate warning light or flag. No flagman in a vehicle shall be required pursuant to this subdivision if the equipment is being moved under its own power or on a trailer from any field to another field, or from the normal place of storage of the vehicle to any field, for no more than ten miles and if visible from both directions for 300 feet at any point along the proposed route.

G.S. 20-116 (j) cont.

Combines and Self Propelled Farm Equipment

G.S. 20-116 (j) cont.

- (4) Every piece of equipment so operated shall operate to the right of the center line unless the combined width of the traveling lane and the accessible shoulder is less than the width of the equipment.
- (5) Repealed by Session Laws 2008-221, s. 6, effective September 1, 2008.
- (6) When the equipment is causing a delay in traffic, the operator of the equipment shall move the equipment off the paved portion of the highway at the nearest practical location until the vehicles following the equipment have passed.
- (7) The equipment shall be operated in the designed transport position that minimizes equipment width. No removal of equipment or appurtenances is required under this subdivision.



"§ 20-146. Drive on right side of highway; exceptions.

- “...
- (a1) Self-propelled grain combines or other self-propelled farm equipment shall be operated to the right of the centerline except as provided in G.S. 20-116(j)(4).
-”

Weight of Vehicles & Load



- G.S. 20-118 (4)
 - (4) A truck or other motor vehicle shall be exempt from such light-traffic road limitations provided for pursuant to G.S. 20-118(b)(4), when transporting supplies, material or equipment necessary to carry out a farming operation engaged in the production of meats and agricultural crops and livestock or poultry by-products or a business engaged in the harvest or processing of seafood when the destination of such vehicle and load is located solely upon said light-traffic road.

Weight of Vehicles & Load

➤ G.S. 20-118 (12)

- "(12) Subsections (b) and (e) of this section do not apply to a vehicle or vehicle combination that meets all of the conditions set out below:
- a. Is transporting any of the following items within 150 miles of the point of origination:
 - 1. Agriculture, dairy, and crop products transported from a farm or holding facility to a processing plant, feed mill, or market.
 - 2. Water, fertilizer, pesticides, seeds, fuel, or animal waste transported to or from a farm.
 - 3. Meats, livestock, or live poultry transported from the farm where they were raised to a processing plant or market.
 - 3a. Feed or feed ingredients that are used in the feeding of poultry or livestock and transported from a storage facility, holding facility, or mill to a farm.
 - 4. Forest products originating and transported from a farm or woodlands to market with delay interruption or delay for further packaging or processing after initiating transport.
 - 5. Wood residuals, including wood chips, sawdust, mulch, or tree bark from any site.
 - Senate Bill 513-Ratified Session Law 2015-263 Page 5
 - 6. Raw logs to market.
 - 7. Trees grown as Christmas trees from field, farm, stand, or grove to a processing point.
- b. Repealed by Session Laws 1993 (Reg. Sess., 1994), c. 761, s. 13.
- b1. Does not operate on an interstate highway or exceed any posted bridge weight limits during transportation or hauling of agricultural products.
- c. Meets any of the following vehicle configurations:
 - 1. Does not exceed a single-axle weight of 22,000 pounds, a tandem-axle weight of 42,000 pounds, or a gross weight of 90,000 pounds.
 - 2. Consists of a five or more axle combination vehicle that does not exceed a single-axle weight of 26,000 pounds, a tandem-axle weight of 44,000 pounds and a gross weight of 90,000 pounds, with a length of at least 48 feet between the center of axle one and the center of the last axle of the vehicle and a minimum of 11 feet between the center of axle one and the center of axle two of the vehicle.
 - 3. Consists of a two-axle vehicle that does not exceed a gross weight of 37,000 pounds and a single-axle weight of no more than 27,000 pounds, with a length of at least 14 feet between the center of axle one and the center of axle two of the vehicle.

Weight of Vehicles & Load

- G. S. 20-118 (c)(5)

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

Weight of Vehicles & Load

- a. Processed or unprocessed seafood transported from boats or any other point of origin to a processing plant or a point of further distribution.
- b. Meats, live poultry, or agricultural crop products transported from a farm to a processing plant or market.
- c. Forest products originating and transported from a farm or from woodlands to market without interruption or delay for further packaging or processing after initiating transport.
- d. Livestock or live poultry transported from their point of origin to a processing plant or market.
- e. Livestock by-products or poultry by-products transported from their point of origin to a rendering plant.

G.S. 20-118 (c)(5) continued

Weight of Vehicles & Load

- i. Apples when transported from the orchard to the first processing or packing point.
- j. Trees grown as Christmas trees from the field, farm, stand, or grove, and other forest products, including chips and bark, to a processing point.
- k. Water, fertilizer, pesticides, seeds, fuel, and animal waste transported to or from a farm by a farm vehicle as defined in G.S. 20-37.16(e)(3).

G.S. 20-118 (c)(5) continued



Weight of Vehicles & Load

G.S. 20-118(k)

(k) A vehicle which is equipped with a self-loading bed and which is designed and used exclusively to transport compressed seed cotton from the farm to a cotton gin, or sage to market, may operate on the highways of the State, except interstate highways, with a tandem-axle weight not exceeding 50,000 pounds. Such vehicles shall be exempt from light-traffic road limitations only from point of origin on the light-traffic road to the nearest State-maintained road which is not posted to prohibit the transportation of statutory load limits. This exemption does not apply to restricted, posted bridge structures.