

1 19A NCAC 02D .0601 is proposed for amendment as follows:

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3 **19A NCAC 02D .0601 PERMITS AUTHORITY, APPLICATION AND ENFORCEMENT PERMIT**  
4 **APPLICATION AND ADMINISTRATION**

5 (a) The Chief Engineer's office Engineer or his designee shall issue oversize/overweight permits for qualifying  
6 vehicles. Applications for permits shall be submitted to the Central Permit Office unless the application is for a house  
7 move permit. Irrespective of the route shown on the permit, a permitted vehicle shall travel an alternate route:

- 8 (1) ~~if directed by a law enforcement officer with jurisdiction;~~  
9 (2) ~~if directed by an official traffic control device to follow a route to a weighing device; and~~  
10 (3) ~~if the specified route on the permit is detoured by an officially erected highway sign, traffic control~~  
11 ~~devices, or law enforcement officer, the driver of the permitted vehicle shall contact the Central~~  
12 ~~Permit Office or the issuing field office for house move permits as soon as reasonably possible for~~  
13 ~~clearance of route or revision of the permit.~~

14 (b) House move permit applications shall be submitted to the Department division and district offices. The  
15 Department's division and district offices will approve or deny house move permit applications after reviewing the  
16 route of travel and dimension(s) of the structure to be moved. House move permit applications shall be submitted at  
17 least two working days prior to the anticipated date of movement. Prior to application for an oversize or overweight  
18 permit, the vehicle or vehicle combination and the commodity in transport shall be reduced or loaded to the least  
19 practical dimensions and weight. Application for permits with the exception of house move permits shall be made to  
20 the Central Permit Office. Applications for permits shall be submitted in writing to the Central Permit Office for  
21 consideration of approval for moves exceeding:

- 22 (1) ~~a gross weight of 132,000 pounds with the fee specified in G.S. 20-119(b) at least ten working days~~  
23 ~~prior to the anticipated date of movement;~~  
24 (2) ~~a width of 15' with documentation for variances at least ten working days prior to the anticipated~~  
25 ~~date of movement with the exception of a mobile/modular unit with maximum measurements of 16'~~  
26 ~~wide unit and a 3" gutter edge; a width of 16' 11" with the exception of house moves is required to~~  
27 ~~be submitted with the fee specified in G.S. 20-119(b) with documentation for variances at least ten~~  
28 ~~working days prior to the anticipated date of movement; or~~  
29 (3) ~~a height of 14 feet at least two working days prior to the anticipated date of movement.~~

30 (c) Permits for movements of the following shall require the applicant to submit to the Central Permit office, 10  
31 business days prior to the anticipated date of movement, a written application, the fee specified in G.S. 20-119(b), and  
32 documentation of any variances:

- 33 (1) gross weight of 132,000 pounds or more;  
34 (2) width of 15 feet or more;  
35 (3) mobile or modular unit with a width of 16 feet and a gutter edge of 3 inches; and  
36 (4) width of 16 feet and 11 inches unless the permit shall be for house moves.

1 Upon completion of an engineering study for moves exceeding a gross weight of 132,000 pounds, a surety bond to  
2 cover potential damage to highways and bridge structures shall be required for overweight permits if the engineering  
3 study shows potential for damage to highways and bridge structures along the particular route of the requested permit.

4 (d) Permits for movements with a vehicle or vehicle combination height greater than 14 feet, but not equal to or  
5 greater than 15 feet, shall require the applicant to submit to the Central Permit Office, two business days prior to the  
6 anticipated date of movement, a written application, the fee specified in G.S. 20-119(b), and documentation of  
7 variances. ~~The North Carolina licensed mobile or modular home retail dealer shall maintain records of all mobile or~~  
8 ~~modular units moved by authority of an annual permit for a minimum of four years from the date of movement. The~~  
9 ~~records shall be available for inspection and audit by officers of the Division of Motor Vehicles. Monthly reports~~  
10 ~~shall be submitted by the dealer to the Central Permit Office on a form furnished by the Department of Transportation.~~  
11 ~~Failure to comply with any requirement may be grounds for denying, suspending, or revoking Manufacturer's License,~~  
12 ~~Dealer's License, or both issued by the Division of Motor Vehicles as specified in Chapter 20 of the Motor Vehicle~~  
13 ~~Law, Title 19A NCAC 03D .0219, or North Carolina oversize or overweight permit privileges.~~

14 (e) The issuance of any permit shall not imply nor guarantee the vertical clearance of the permitted load and the  
15 permittee shall be responsible for ensuring all vertical clearances prior to movement. ~~Law enforcement officers may~~  
16 ~~perform on site inspections of mobile or modular homes ready for shipment at the point of manufacture or at the dealer~~  
17 ~~lot for compliance with Chapter 20 of the General Statutes, dealer and manufacturer regulations, permit regulations,~~  
18 ~~and policy. Notification of violations shall be submitted by enforcement personnel to the Central Permit Office.~~

19 (f) The Department shall accept cash, certified check, money order, company check, or credit card in consideration  
20 for the fees specified in G.S. 20-119(b). No personal checks shall be accepted. ~~The penalties provided in this Rule~~  
21 ~~are in addition to the penalties provided for in Chapter 20 of the North Carolina General Statutes.~~

22 (g) ~~Permits may be declared void by the Chief Engineer or his designee upon determination that such~~  
23 ~~overdimension/overweight permit was being used in violation of the General Statutes of North Carolina, Permit Rules~~  
24 ~~or restrictions stated on the permit.~~

25 (h) ~~Permits may also be denied, revoked or declared invalid as stated in Rule .0633 of this Section.~~

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27 *History Note:* Authority G.S. 20-119; 136-18(5); 20-360; 20-361; 20-367; 20-369; 20-371; 143B-346; 143B-  
28 350(f);

29 *Eff. July 1, 1978;*

30 *Amended Eff. November 1, 1993; October 1, 1991;*

31 *Temporary Amendment Eff. January 10, 2002; October 1, 2000;*

32 *Amended Eff. December 1, 2012; April 1, 2009; August 1, 2002;*

33 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September*  
34 *6, 2016.*