



ADMINISTRATIVE CODE

SECTION .0600 - OVERSIZE-OVERWEIGHT PERMITS

.0601 PERMITS-AUTHORITY, APPLICATION AND ENFORCEMENT

19A NCAC 02D .0601 PERMITS-AUTHORITY, APPLICATION AND ENFORCEMENT

- (a) The State Highway Administrator or his designee shall issue oversize/overweight permits for qualifying vehicles. Irrespective of the route shown on the permit, a permitted vehicle shall travel an alternate route:
 - (1) if directed by a law enforcement officer with jurisdiction;
 - (2) if directed by an official traffic control device to follow a route to a weighing device;
 - (3) if the specified route on the permit is detoured by an officially erected highway sign, traffic control devices, or law enforcement officer, the driver of the permitted vehicle shall contact the Central Permit Office or the issuing field office for house move permits as soon as reasonably possible for clearance of route or revision of the permit.
- (b) Prior to application for an oversize/overweight permit, the vehicle/vehicle combination and the commodity in transport shall be reduced or loaded to the least practical dimensions and weight. Application for permits with the exception of house move permits shall be made to the Central Permit Office. Applications for permits shall be submitted in writing to the Central Permit Office for consideration of approval for moves exceeding:
 - (1) a gross weight of 132,000 pounds with the fee specified in G.S. 20-119(b) at least ten working days prior to the anticipated date of movement; or
 - (2) a width of 15' with documentation for variances at least ten working days prior to the anticipated date of movement with the exception of a mobile/modular unit with maximum measurements of 16' wide unit and a 3" gutter edge; a width of 16' 11" with the exception of house moves is required to be submitted with the fee specified in G.S. 20-119(b) with documentation for variances at least ten working days prior to the anticipated date of movement; or
 - (3) a height of 14 feet at least two working days prior to the anticipated date of movement.
- (c) Upon completion of an engineering study for moves exceeding a gross weight of 132,000 pounds, a surety bond to cover potential damage to highways and bridge structures shall be required for overweight permits if the engineering study shows potential for damage to highways and bridge structures along the particular route of the requested permit.
- (d) The North Carolina licensed mobile/modular home retail dealer shall maintain records of all mobile/modular units moved by authority of an annual permit for a minimum of four years from the date of movement. The records shall be readily available for inspection and audit by officers of the Division of Motor Vehicles. Monthly reports shall be submitted by the dealer to the Central Permit Office on a form designed and furnished by the Department of Transportation. Failure to comply with any requirement may be grounds for denying, suspending, or revoking Manufacturer's License, Dealer's License, or both issued by the Division of Motor Vehicles as specified in Chapter 20 of the Motor Vehicle Law, Title 19A NCAC 03D .0219, or North Carolina Oversize/Overweight permit privileges.
- (e) Law enforcement officers may perform on-site inspections of mobile/modular homes ready for shipment at the point of manufacture or at the dealer lot for compliance with Chapter 20 of the General Statutes, dealer and manufacturer regulations, permit regulations, and policy. Notification of violations shall be submitted by enforcement personnel to the Central Permit Office.
- (f) The penalties provided in this Rule are in addition to the penalties provided for in Chapter 20 of the North Carolina General Statutes.
- (g) Permits may be declared void by the State Highway Administrator or his designee upon determination that such overdimension/overweight permit was being used in violation of the General Statutes of North Carolina, Permit Rules or restrictions stated on the permit.
- (h) Permits may also be denied, revoked or declared invalid as stated in Rule .0633 of this Section.

*History Note: Authority G.S. 20-119; 136-18(5);
Eff. July 1, 1978;
Amended Eff. November 1, 1993; October 1, 1991;
Temporary Amendment Eff. January 10, 2002; October 1, 2000;
Amended Eff. April 1, 2009; August 1, 2002.*

19A NCAC 02D .0602 PERMITS-ISSUANCE AND FEES

- (a) Permits may be issued for movements of loads, which cannot be reasonably divided, dismantled or disassembled, or so loaded to meet legal requirements. Permits are issued on authorized forms with appropriate designation for qualifying moves on the most direct route of travel to the destination after consideration of vertical clearances, work zones, and other factors to ensure safe movement. A permit issued by the Department is not valid for travel over municipal streets (defined as streets or highways not maintained by the State of North Carolina).
Single trip permits may include a return trip to origin if requested at the time of original issuance and the return trip can be made within the validation of such permit. No single trip permit request shall be issued for a time period to exceed 30 days. Annual permits (blanket) are valid 12 months from the effective date of the permit
- (b) The Department of Transportation shall collect a fee as specified in GS 20-119(b). Only cash, certified check, money order, company check, or credit card will be accepted. No personal checks will be accepted. The Department shall bill permittees with established credit accounts monthly for permits issued for the previous month.

*History Note: Authority G.S. 20-119; 136-18(5);
Eff. July 1, 1978;
Amended Eff. December 29, 1993; October 1, 1991; April 1, 1984; April 11, 1980;
Temporary Amendment Eff. October 1, 2000.*

19A NCAC 02D .0607 PERMITS-WEIGHT, DIMENSIONS AND LIMITATIONS

- (a) Vehicle/vehicle combinations with non-divisible overwidth loads are limited to a maximum width of 15 feet. After review of documentation of variances, the State Highway Administrator or his designee may authorize the issuance of a permit for movement of loads in excess of 15 feet wide in accordance with 19A NCAC 02D .0600 et seq. Exception: A mobile/modular unit with maximum measurements of 16 feet wide unit and a 3 inch gutter edge may be issued a permit. If blades of construction equipment or front end loader buckets cannot be angled to extend no more than 14 feet across the roadway, they shall be removed. A blade, bucket or other attachment that is an original part of the equipment as manufactured may be hauled with the equipment without being considered a divisible load. A 14 feet wide mobile/modular home unit with a roof overhang not to exceed a total of 12 inches may be transported with a bay window, room extension, or porch providing the protrusion does not extend beyond the maximum 12 inches of roof overhang or the total width of overhang on the appropriate side of the home. An extender shall be placed on the front and rear of the mobile home with a length to extend horizontally equal to but not beyond the extreme outermost edge of the home's extension. The extenders shall have retro-reflective sheeting, a minimum of 4 inches, which shall be Type III high intensity (encapsulated lens) or Type IV high performance (prismatic) with alternating fluorescent yellow and black diagonal stripes sloping towards the outside of the home with a minimum area of 288 square inches. The bottom of the extenders shall be 6 feet to 8 feet above the road surface with a 5 inch amber flashing beacon mounted on the top of each extender. Authorization to move commodities wider than 15 feet in width shall be denied if considered by the issuing agent to be unsafe to the traveling public or if the highway cannot accommodate the move due to width.
- (b) A single trip permit shall be issued vehicle specific not to exceed a width in excess of 15 feet for all movements unless authorized by the State Highway Administrator or his designee after analysis of the proposed load and evaluation of the proposed route of travel. Exception: A mobile/modular unit with maximum measurements of 16 feet wide unit and a 3 inch gutter edge may be issued a permit. Permits for house moves may be issued as specified in G.S. 20-356 through G.S. 20-372.
- (c) An annual oversize/overweight permit may be issued as follows:
 - (1) for unlimited movement without an escort on all North Carolina highways, where permitted by the posted road and bridge limits, for vehicle/vehicle combinations transporting general non-divisible commodities which has a minimum extreme wheelbase of 51 feet and which does not exceed: width of 12 feet; height of 13 feet, 6 inches; length of 75 feet; gross weight of 90,000 pounds; and

- axle weights of 12,000 pounds steer axle, 25,000 pounds single axle, 50,000 pounds tandem axle, and 60,000 pounds for a three or more axle grouping.
- (2) for unlimited movement without the requirement of an escort on all North Carolina highways, where permitted by the posted road and bridge limits, for four or five axle self-propelled equipment or special mobile equipment capable of traveling at a highway speed of 45 miles per hour which has a minimum wheel base of 30 feet and which does not exceed: width of 10 feet; height of 13 feet, 6 inches; length of 45 feet with front and rear overhang not to exceed a total of 10 feet; gross weight of 90,000 pounds; axle weights of 20,000 pounds single axle; 50,000 pounds tandem axle; and 60,000 pounds for a three or more axle grouping.
 - (3) for unlimited movement with the requirement of an escort vehicle on all North Carolina highways, where permitted by the posted bridge and load limits, for vehicles/vehicle combinations transporting farm equipment and which does not exceed: a width of 14 feet; a height of 13 feet 6 inches; and a weight as set forth in G.S. 20-118(b)(3).
 - (4) for mobile/modular homes with a maximum height of 13 feet 6 inches being transported from the manufacturer to a North Carolina mobile/modular home dealership with a width not to exceed a 14 feet unit with an allowable roof overhang not to exceed a total of 12 inches or a 16 feet wide unit with a 3 inch gutter edge. These mobile/modular homes shall be authorized to travel on designated routes approved by the Department of Transportation considering construction work zones, highway lane widths, origin and destination or other factors to ensure safe movement.
 - (5) to the North Carolina licensed mobile/modular home retail dealer and the transporter for delivery of mobile/modular homes not to exceed a maximum width of a 14 feet unit with a total roof overhang not to exceed 12 inches and a height of 13 feet 6 inches. The annual permit shall be valid for delivery of mobile/modular homes within a maximum 25-mile radius of the dealer location. Confirmation of destination for delivery shall be carried in the permitted towing unit readily available for law enforcement inspection.

(d) The maximum weight permitted on a designated route is determined by the bridge capacity of bridges to be crossed during movement. The route traveled from a specific origin to a specific destination must be included within one permitted route of travel. Moves exceeding weight limits for highways or bridge structures shall be denied if considered by the issuing agent to be unsafe or if they may cause damage to such highway or structure. A surety bond shall be required if the Department determines it is necessary to cover the cost of potential damage to pavement, bridges or other damages incurred during the permitted move.

(e) The standards for analysis, extreme wheelbase requirements, weight distribution and axle configuration requirements are based on a Department of Transportation engineering study with consideration of the infrastructure being crossed along the permitted route of travel. The maximum permissible weights are as follows:

- (1) The maximum single trip and annual permit weight allowed for a specific vehicle or vehicle combination not including off highway construction equipment without an engineering study is:

Steer Axle	12,000 pounds
Single axle	25,000 pounds
2 axle tandem	50,000 pounds
3 or more axle group	60,000 pounds

 - 3 axle single vehicle may have a maximum gross weight up to 70,000 pounds based on the engineering study.
 - 4 axle single vehicle may have a maximum gross weight up to 90,000 pounds based on the engineering study.
 - 5 axle single vehicle may have a maximum gross weight up to 94,500 pounds based on the engineering study.
 - 5 axle vehicle combination may have a maximum gross weight up to 112,000 pounds based on the engineering study.
 - 6 axle single vehicle may have a maximum gross weight up to 108,000 pounds based on the engineering study.
 - 6 axle vehicle combination may have a maximum gross weight up to 120,000 pounds based on the engineering study.
 - 7 axle single vehicle may have a maximum gross weight up to 122,000 pounds based on the engineering study.

7 axle vehicle combination may have a maximum gross weight up to 132,000 pounds based on the engineering study.

7 or more axle vehicle combination with a gross weight exceeding 132,000 pounds requires the engineering study.

- (2) The maximum permit weight allowed for self propelled off highway construction equipment with low pressure/flotation tires is:

Single axle 37,000 pounds

Tandem axle 50,000 pounds

2 axle single vehicle may have a maximum gross weight up to 70,000 pounds based on the engineering study.

3 axle single vehicle may have a maximum gross weight up to 80,000 pounds based on the engineering study.

4 axle single vehicle may have a maximum gross weight up to 90,000 pounds based on the engineering study.

- (3) A vehicle combination consisting of a power unit and trailer hauling a sealed ship container may qualify for a specific route overweight permit not to exceed 94,500 pounds provided the vehicle:

(A) Is going to or from a designated seaport (to include in state and out of state) and has been or shall be transported by marine shipment;

(B) Is licensed for the maximum allowable weight for a 51 feet extreme wheelbase measurement specified in G.S. 20-118;

(C) Does not exceed maximum dimensions of width, height and length specified in Chapter 20 of the General Statutes;

(D) Is a vehicle combination with at least five axles; and

(E) Has proper documentation (shippers bill of lading or trucking bill of lading) of sealed commodity being transported available for law enforcement officer inspection.

- (f) Overlength permits shall be limited as follows:

(1) Single trip permits are limited to 105 feet inclusive of the towing vehicle. Approval may be given by the Central Permit Office for permitted loads in excess of 105 feet after review of geographic route of travel, consideration of local construction projects and other dimensions of the load. Mobile/modular home units shall not exceed a length of 80 feet inclusive of a 4 foot trailer tongue. Total length inclusive of the towing vehicle is 105 feet.

(2) Annual (blanket) permits shall not be issued for lengths to exceed 75 feet. Mobile/modular home permits may be issued for a length not to exceed 105 feet.

(3) Front overhang may not exceed the length of 3 feet specified in Chapter 20 unless if transported otherwise would create a safety hazard. If the front overhang exceeds 3 feet, an overlength permit may be issued.

(g) An Overheight Permit Application for heights in excess of 14 feet must be submitted in writing to the Central Permit Office at least two working days prior to the anticipated date of movement. The issuance of the permit does not imply nor guarantee the clearance for the permitted load and all vertical clearances shall be checked by the permittee prior to movement underneath.

(h) Movement shall be made between sunrise and sunset Monday through Saturday. Sunday travel may be authorized from sunrise to sunset after consideration of the overall permitted dimensions. Exception: A 16 feet wide mobile/modular home unit with a maximum 3 inch gutter edge is restricted to travel from 9:00 a.m. to 2:30 p.m. Monday through Saturday. A 16 feet wide unit is authorized to continue operation after 2:30 p.m., but not beyond sunset, when traveling on an approved route as determined by an engineering study and the unit is being exported out-of-state. Additional time restrictions may be set by the issuing office if it is in the best interest for safety or to expedite flow of traffic. No movement is permitted for a vehicle/vehicle combination after noon on the weekday preceding the six holidays of New Years Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day and no movement is permitted until noon on the weekday following a holiday. If the observed holiday falls on the weekend, travel is restricted from 12:00 noon on the preceding Friday through 12:00 noon on the following Monday. Continuous travel (24 hour/7 day/365 days a year) is authorized for any vehicle/vehicle combination up to but not to exceed a permitted gross weight of 112,000 pounds provided the permitted vehicle has no other over legal dimension of width, height or length included in the permitted move. Exception: Self-propelled equipment may be authorized for continuous travel with overhang (front or rear or both) not to exceed a total of 10 feet provided overhang is marked with high intensity glass bead retro-reflective sheeting tape measuring 2 inches by

12 inches displayed on both sides and the end of the extension and on each side of the self-propelled vehicle 24 inches from the road surface at nearest feasible center point between the steer and drive axles. Any rear overhang must display a temporarily mounted brake light and a flashing amber light, 8 inches in diameter with a minimum candlepower of 800 watts. Permitted vehicles owned or leased by the same company or permitted vehicles originating at the same location shall travel at a distance of not less than two miles apart. Convoy travel is not authorized except as directed by law enforcement escort.

(i) The speed of permitted moves shall be that which is reasonable and prudent for the load, considering weight and bulk, under conditions existing at the time; however, the maximum speed shall not exceed the posted speed limit. A towing unit and mobile/modular home combination shall not exceed a maximum speed of 60 miles per hour. The driver of the permitted vehicle shall avoid creating traffic congestion by periodically relinquishing the traffic way to allow the passage of following vehicles when a build up of traffic occurs.

(j) Additional safety measures are as follows:

- (1) A yellow banner measuring a total length of 7 feet x 18 inches high bearing the legend "Oversize Load" in 10 inches black letters 1.5 inches wide brush stroke shall be displayed in one or two pieces totaling the required length on the front and rear bumpers of a permitted vehicle/vehicle combination with a width greater than 10 feet. A towing unit mobile/modular home combination shall display banners of the size specified bearing the legend "Oversize ----- feet Load" identifying the nominal width of the unit in transport. Escort vehicles shall display banners as previously specified with the exception of length to extend the entire width of the bumpers;
- (2) Red or orange flags measuring 18 inches square shall be displayed on all sides at the widest point of load for all loads in excess of 8 feet 6 inches wide but the flags shall be so mounted as to not increase the overall width of the load;
- (3) All permitted vehicles/vehicle combinations shall be equipped with tires of the size specified and the required number of axles equipped with operable brakes in good working condition as provided in North Carolina Statutes and Motor Carrier and Housing and Urban Development (HUD) regulations;
- (4) Rear view mirrors and other safety devices on towing units attached for movement of overwidth loads shall be removed or retracted to conform with legal width when unit is not towing/hauling such vehicle or load; and
- (5) Flashing amber lights shall be used as determined by the issuing permit office.

(k) The object to be transported shall not be loaded or parked, day or night, on the highway right of way without specific permission from the office issuing the permit after confirmation of an emergency condition.

(l) No move shall be made when weather conditions render visibility less than 500 feet for a person or vehicle. Moves shall not be made when highway is covered with snow or ice or at any time travel conditions are considered unsafe by the Division of Highways, State Highway Patrol or other Law Enforcement Officers having jurisdiction. Movement of a mobile/modular unit exceeding a width of 10 feet is prohibited when wind velocities exceed 25 miles per hour in gusts.

(m) All obstructions, including traffic signals, signs and utility lines shall be removed immediately prior to and replaced immediately after the move at the expense of the mover, provided arrangements for and approval from the owner is obtained. In no event are trees, shrubs, or official signs to be cut, trimmed or removed without personal approval from the Division of Highways District Engineer having jurisdiction over the area involved. In determining whether to grant approval, the district engineer shall consider the species, age and appearance of the tree or shrub in question and its contribution to the aesthetics of the immediate area.

(n) The Department of Transportation may require escort vehicles to accompany oversize or overweight loads. The weight, width of load, width of pavement, height, length of combination, length of overhang, maximum speed of vehicle, geographical route of travel, weather conditions and restricted time of travel shall be considered to determine escort requirements.

History Note: Authority G.S. 20-119; 136-18(5); Board of Transportation Minutes for February 16, 1977 and November 10, 1978; Eff. July 1, 1978; Amended Eff. October 1, 1994; December 29, 1993; October 1, 1991; October 1, 1990; Temporary Amendment Eff. January 10, 2002; December 31, 2000; October 1, 2000; Amended Eff. June 1, 2010; April 1, 2009; August 1, 2002.

19A NCAC 02D .0612 PERMITS - HOUSE MOVES

- (a) Application for a permit will be made by a licensed housemover for movement of buildings or structures in excess of 15' in width to the appropriate Division of Highways district or division office in which the house is to be moved or in conjunction with other Division of Highways districts or divisions included in the proposed move.
- (b) It is not necessary for an individual to acquire a housemover license prior to applying for a permit if the power unit and building is owned by the permittee and such move is to or from property owned individually by the permittee.
- (c) Conditions, restrictions, and limitations on house move permits shall be determined by the Division of Highways division or district engineers and/or the Central Permit Office.

*History Note: Authority G.S. 20-119; 20-360; 136-18(5);
Eff. July 1, 1978;
Amended Eff. November 1, 1993; October 1, 1991; April 1, 1984; January 1, 1979;
Temporary Amendment Eff. October 1, 2000.*

19A NCAC 02D .0633 DENIAL: REVOCATION: REFUSAL TO RENEW: APPEAL: INVALIDATION

- (a) An oversize or overweight permit may be revoked and considered void by the State Highway Administrator or his designee upon inspection and written documentation that the permittee violated the terms and conditions of the permit, or state and local laws and ordinances regulating the operation of oversize and overweight vehicles. A permit may also be revoked or considered void if information on the permit application is misrepresented, if the permit is obtained fraudulently, if the permit is altered, or if the permit is used in an unauthorized manner. Permits may be revoked or considered void by the State Highway Administrator or his designee if the vehicle or vehicle combination is found by a law enforcement officer to be operating in violation of the authorized route of travel, time of movement, escort requirements, axle weights, number of axles, or any other special conditions of the permit that may damage North Carolina highway infrastructure or create unsafe travel conditions for the motoring public. A permit that is determined by the State Highway Administrator or his designee to be revoked or void must be surrendered without consideration for refund of fees to the law enforcement officer for delivery to the State Highway Administrator or his designee.
- (b) No permit application shall be denied or renewal refused or an issued permit revoked or considered void until a verbal or written notice of the denial of permit request or revocation of the issued permit has been furnished to the permittee. The permittee may appeal in writing to the State Highway Administrator or his designee within 10 days of receipt of a verbal or written notice of such denial or revocation. The State Highway Administrator or his designee shall send a written notice by certified mail, return receipt requested, not less than 10 days prior to the date of the hearing. The State Highway Administrator or his designee shall provide a written decision to the permittee within 10 days from the date of the hearing.
- (c) A permittee who has had their permit privileges suspended or revoked by the State Highway Administrator or his designee may, within 15 days following notification of the adverse action, make written appeal to the Secretary of Transportation for review of the suspension or revocation. The Secretary may affirm or set aside the suspension or revocation based on a review of the written appeal, the suspension or revocation decision, as well as any available documents, exhibits or other evidence bearing on the appeal. The individual appealing will be advised of the final disposition of the action within 21 days following receipt of the appeal.
- (d) An oversize or overweight permit application may be denied for a period of up to six months upon written documentation that the applicant operated in violation of any of the rules contained in this Section, or any state and local law or any rule or ordinance regulating the operation of oversize or overweight vehicles. Repeated violations may result in a permanent denial of the right to use the N.C. State Highway System of roads for transportation of oversize or overweight loads or vehicles.

*History Note: Authority G.S. 20-119; 20-360; 20-361; 20-367; 20-369; 20-371; 136-18(5); 143B-346; 143B-350(f);
Eff. July 1, 1978;
Amended Eff. November 1, 1993; October 1, 1991; April 1, 1984; April 11, 1980;
Filed as a Temporary Rule Eff. October 1, 2000;
Amended Eff. April 1, 2009; August 1, 2002.*

19A NCAC 02D .0643 ESCORT VEHICLE DRIVER CERTIFICATION

On or after July 1, 2003, when an escort vehicle is required, escort vehicle drivers shall be certified in accordance with 19 A NCAC 02D.0644. Certification credentials shall be carried in the vehicle and shall be readily available for inspection by law enforcement officials with jurisdiction.

*History Note: Statutory Authority G.S. 20-119;
 Filed as a Temporary Rule Eff. March 11, 2002;
 Eff. April 1, 2003.*

**19A NCAC 02D .0644 OVERSIZE-OVERWEIGHT LOAD ESCORT VEHICLE
 OPERATOR CERTIFICATION PROGRAM**

- (a) The Secretary of Transportation or his designee shall administer an Oversize-Overweight Load Escort Vehicle Operator Certification Program as required by G.S. 20-119.
- (b) The escort vehicle operator certification program shall include the following:
 - (1) Instruction on safe and effective escort skills.
 - (2) Examination that documents course comprehension.
 - (3) Recognition of escort vehicle operator certification.
 - (4) Recognition of escort vehicle operator certification from other states which have certification programs for operators with out-of-state driver's license.
- (c) The department shall issue a certificate which provides recognition of satisfactory completion of the instruction.
 - (1) The certificate shall be effective for four years from issue date.
 - (2) The certificate shall be reissued upon satisfactory completion of a current certification examination administered by North Carolina Department of Transportation (NCDOT) training providers.
- (d) Any operator authorized to escort a permitted oversize-overweight load in North Carolina shall make application to NCDOT and be qualified as follows:
 - (1) An escort certified by another state's approved program;
 - (2) A North Carolina law enforcement officer; or
 - (3) A person who:
 - (A) Meets one of the following requirements:
 - (i) Is at least 21 years of age; or
 - (ii) Is at least 18 years of age with a Class A commercial driver's license;
 - (B) Possesses a valid driver's license without restrictions other than for use of corrective lens and has demonstrated evidence of operating a motor vehicle safely which includes not operating in a reckless manner or driving while impaired in the previous 12 months. The driving record shall be documented by a certified copy of Division of Motor Vehicles (DMV) Driver's Record accompanying the application;
 - (C) Possesses and provides with application documentation of completion of a defensive driving course approved by the National Safety Council or an equivalent course; and
 - (D) Has successfully completed the eight classroom-hours North Carolina Department of Transportation Oversize-Overweight Load Escort Vehicle Operator Certification Program offered by the North Carolina Community College System with a certification examination score of at least 75% correct and has received escort certification by the Department.
- (e) Certification shall be revoked during its effective period for the following:
 - (1) Failure to maintain a valid driver's license without restrictions other than for corrective lens; or
 - (2) Failure to operate a motor vehicle safely. Conviction of operating in a reckless manner or driving while impaired shall constitute prima facie evidence of not operating a motor vehicle in a safe manner; or
 - (3) Evidence of performing the duties of an escort driver in a manner with the potential to cause an accident, personal injury, or damage to property.
- (f) If certification is revoked under this Section, subsequent certification as an Escort Vehicle Operator shall require reapplication, satisfaction of program prerequisites, and requalification through the certification program.
- (g) An individual who has had his or her certificate revoked may, within 15 days following notification of the adverse action, make written appeal to the Secretary of Transportation for review of the revocation. The Secretary may

affirm or set aside the revocation based on a review of the written appeal, the revocation decision, as well as any available documents, exhibits or other evidence bearing on the appeal. The individual appealing will be advised of the final disposition of the action within 21 days following receipt of the appeal.

- (h) The Secretary of Transportation or his designee shall recognize certificates of other states whose programs meet the objectives of North Carolina's program for operators with out-of-state driver's license.
- (i) Escort Vehicle Operator certification and a valid driver's license shall be available in the escort vehicle for inspection whenever the operator is performing the role of escort.
- (j) Failure to conform to the escort requirements of this Rule shall result in penalties imposed in G.S. 20-119(d).

*History Note: Authority G.S. 20-119;
Temporary Adoption Eff. March 11, 2002;
Eff. April 1, 2003;
Amended Eff. April 1, 2009.*