

## SECTION .0500 - SAFETY RULES AND REGULATIONS

### 19A NCAC 03E .0501 CERTIFICATE: VEHICLE IDENTIFICATION: ETC

(a) Passengers, fire-fighting equipment, medical and hospital supplies, food, feed, clothing, and other articles necessary for immediate relief of or direct prevention of fires, sickness, accident, storm, flood, or similar catastrophes, may be transported by any person in any available vehicle without notice to or authority from the Utilities Commission or the Motor Carrier Regulatory Unit upon issuance of an executive order from the Governor. The North Carolina Utilities Commission, however, has jurisdiction over household goods movers.

(b) A certificate of exemption may be canceled upon notice to the holder without hearing for any one or more of the following causes:

- (1) for failure to mark for hire vehicles as required by Paragraph (c) of this Rule;
- (2) for the transportation of passengers or property not exempt from rules;
- (3) for refusal to permit the Division's inspectors, upon demand and display of proper credentials, to make examination of loaded trucks, the property being transported, and all books, records, and accounts relating to the transportation of property for hire;
- (4) for failure of exempt for hire passenger carriers to keep on file with the Division proper evidence of insurance as required by the Utilities Commission;
- (5) for failure of exempt for hire passenger or property carriers to comply with the safety rules of the Division.

(c) Every vehicle operated under a certificate of exemption shall have printed on both sides thereof, in letters and figures not less than three inches high, the owner's name, or trade name, address, and certificate number unless such vehicle is under permanent lease in which case only the certificate number of the lessor shall appear. In case of a tractor-trailer unit, the marking shall be on the tractor.

(d) The lease of equipment with driver for use in private transportation of property is prohibited unless the following requirements are met:

- (1) the leased equipment shall be exclusively committed to the lessee's use for the term of the lease;
- (2) the lessee shall have exclusive dominion and control over the transportation service during the term of the lease;
- (3) the lessee shall maintain liability insurance for any injury caused in the course of performing the transportation service;
- (4) the lessee shall be responsible for compliance with safety rules;
- (5) the lessee shall bear the risk of damage to cargo; and
- (6) the term of the lease shall be for a minimum period of 30 days.

(e) Any person operating under a certificate of exemption using a leased or rented vehicle shall have the vehicle properly marked or placarded on both sides in letters and figures not less than three inches high, the lessee's name or trade name, address and certificate number.

*History Note:* Authority G.S. 20-378;  
Temporary Rule Eff. February 11, 1986 for a period of 120 days to expire on June 11, 1986;  
Eff. April 1, 1986;  
Amended Eff. January 1, 1994;  
Transferred and Recodified from 19A NCAC 03D .0803 Eff. January 3, 1996;  
Amended Eff. April 30, 1997;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 22, 2018.