

FLAG OR LIGHT AT END OF LOAD. N.C. GEN. STAT. § 20-117.

The motor vehicle law provides that, when the load of any vehicle extends more than four feet beyond the rear of the bed or body of the vehicle,

[during daylight hours—that is, from sunrise to sunset—a red [or orange<sup>1</sup>] flag not less than 12 [18<sup>2</sup>] inches in length and width must be displayed at the end of the load in such manner as to make it clearly visible at all times from the rear of the load]

[at night—that is, from sunset to sunrise—a red [or amber<sup>3</sup>] light must be displayed at the end of the load in such position as to be plainly visible under normal atmospheric conditions at least 200 feet from the rear of the vehicle].<sup>4</sup>

[The motor vehicle law further provides that a load shall at no time extend more than 14 feet beyond the rear of the bed or body of the vehicle, with the exception of vehicles transporting forestry products or utility poles.<sup>5</sup>]

A violation of this law is negligence within itself.<sup>6</sup>

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1. N.C. GEN. STAT. § 20-117(a) was amended, effective October 1, 2009, and applies to “offenses committed on or after that date,” to provide the bracketed alternative. Obviously, the bracketed alternative should only be used, if applicable, only in cases based on acts occurring on or after October 1, 2009.

2. See *supra* note 1.

3. See *supra* note 1.

4. If there is a dispute as to whether it was day or night, as above defined, both bracketed statements should be used.

5. See *supra* note 1.

6. See *Ratliff v. Duke Power Co.*, 268 N.C. 605, 610, 151 S.E.2d 641, 645 (1966); *Weavil v. Myers*, 243 N.C. 386, 389-90, 90 S.E.2d 733, 736 (1956); *Bumgardner v. Allison*, 238 N.C. 621, 624, 78 S.E.2d 752, 755 (1953).

