

VEHICLE TRANSPORTING EXPLOSIVES AFTER JUNE 24, 1985. G.S. 20-167.

Note Well: Use this charge only in conjunction with claims arising on or after June 24, 1985.

The motor vehicle law provides that any person operating any vehicle transporting any explosive,¹ as a cargo or part of a cargo upon a highway shall at all times comply with the rules and regulations of the United States Department of Transportation² as adopted by the Division of Motor Vehicles.³ Those regulations provide: *(Here state the applicable regulations.)*

A violation of this law is negligence within itself.

¹"Explosive" is defined by G.S. 20-4.01(10) as: "Any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion and which contains any oxidizing and combustive units or other ingredients in such proportions, quantities, or packing that an ignition by fire, by friction, by concussion, by percussion, or by detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous presses [pressures] are capable of producing destructible effects on contiguous objects or of destroying life or limb."

²C.F.R. 49, parts 170-178 and 390-397.

³Pursuant to N.C.G.S. § 20-384, the Division of Motor Vehicles adopted, in toto, the rules and regulations listed in Footnote 2 above. Exceptions to those rules and regulations as adopted are set out in a pamphlet containing the rules and regulations as adopted and amended. This pamphlet may be obtained from the Division of Motor Vehicles, Motor Carrier Safety Unit.

