

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 328

Short Title: Failure to Give Way.

(Public)

Sponsors: Representatives Rayfield; Adams, Bowie, J. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Culp, Dickson, Earle, Easterling, Howard, Lemmond, McLaughlin, McMahan, K. Miller, Pate, Sharpe, Sherrill, Snowden, Watson, Weatherly, G. Wilson, and Womble.

Referred to: Transportation.

March 1, 1995

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE PENALTIES FOR FAILURE TO GIVE WAY TO AN
OVERTAKING VEHICLE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-149(b) reads as rewritten:

"(b) Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle while being overtaken or on audible signal and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle. Failure to comply with this subsection is a misdemeanor punishable in accordance with G.S. 20-176(c). Failure to comply with this subsection, when the failure is the proximate cause of a collision involving the overtaking vehicle, shall be a Class I felony."

Sec. 2. This act becomes effective December 1, 1995.