

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 328  
Committee Substitute Favorable 5/3/95  
Third Edition Engrossed 5/9/95

Short Title: Failure to Give Way.

(Public)

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Sponsors:

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Referred to:

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March 1, 1995

1 A BILL TO BE ENTITLED  
2 AN ACT TO INCREASE THE PENALTIES FOR FAILURE TO GIVE WAY TO AN  
3 OVERTAKING VEHICLE.

4 The General Assembly of North Carolina enacts:

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

6 "(b) Except when overtaking and passing on the right is permitted, the driver of an  
7 overtaken vehicle shall give way to the right in favor of the overtaking vehicle while  
8 being lawfully overtaken on an audible signal and shall not increase the speed of his vehicle  
9 until completely passed by the overtaking vehicle.

10 Failure to comply with this subsection:

11 (1) Is a Class 1 misdemeanor when the failure is the proximate cause of a  
12 collision resulting in serious bodily injury.

13 (2) Is a Class 2 misdemeanor when the failure is the proximate cause of a  
14 collision resulting in bodily injury or property damage.

15 (3) Is, in all other cases, an infraction."

16 Sec. 2. G.S. 20-151 is repealed.

17 Sec. 3. This act becomes effective December 1, 1995.