

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 1134

Short Title: Traffic Stops at Night.

(Public)

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Sponsors: Senator Perdue.

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Referred to: Judiciary.

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May 18, 1998

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THE PROCEDURES FOR TRAFFIC STOPS AT NIGHT AND TO APPROPRIATE FUNDS TO INFORM THE GENERAL PUBLIC AND LAW ENFORCEMENT OFFICERS ABOUT THE NEW PROCEDURES.

The General Assembly of North Carolina enacts:

Section 1. Chapter 20 of the General Statutes is amended by adding a new section to read:

**"§ 20-157A. Traffic stops at night.**

Notwithstanding any other provision of law, upon the approach of any law enforcement vehicle, at night:

(1) If the vehicle is a clearly marked law enforcement vehicle with blue lights flashing on a roof-mounted visor, obvious markings and a police paint scheme, electronically modulated headlamps, and a permanent North Carolina registration plate, then the driver shall do one of the following:

a. Drive the vehicle to a position as near as possible and parallel to the right-hand edge or curb, clear of any intersection of a street or highway and stop and remain in that position until the police vehicle has passed or the officer has directed him or her to leave.

1           b.     Drive the vehicle to a position on the road as near as possible to  
2           the right-hand edge or curb and turn on the emergency or hazard  
3           flashers and the interior light of the vehicle to acknowledge the  
4           presence of the law enforcement vehicle and if the law  
5           enforcement vehicle continues to follow, proceed at a speed no  
6           greater than 35 miles per hour to the next adequately lighted  
7           commercial area and stop and remain until the officer has  
8           directed him or her to leave.

9           (2)   If the vehicle is not clearly marked as a law enforcement vehicle and  
10          does not have blue lights on a roof-mounted visor bar, obvious markings  
11          and a police paint scheme, electronically modulated headlamps, or a  
12          permanently issued North Carolina registration tag, then the driver of  
13          the vehicle shall do one of the following:

14          a.     Drive the vehicle to a position on the road as near as possible to  
15          the right-hand edge or curb and turn on the emergency or hazard  
16          flashers and the interior light of the vehicle to acknowledge the  
17          presence of the law enforcement vehicle and proceed at a speed  
18          no greater than 35 miles per hour to the next adequately lighted  
19          commercial area and stop and remain until the officer has  
20          directed him or her to leave.

21          b.     When the vehicle with the blue lights has passed, extinguish the  
22          exterior and interior lights and proceed on at a lawful speed."

23           Section 2. There is appropriated from the General Fund to the Department of  
24 Justice the sum of twenty-five thousand dollars (\$25,000) for the 1998-99 fiscal year to  
25 inform the general public and law enforcement officers about the new procedures for  
26 traffic stops at night.

27           Section 3. This act is effective when it becomes law.