

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 328
Committee Substitute Favorable 5/3/95

Short Title: Failure to Give Way.

(Public)

Sponsors:

Referred to:

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:

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

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

(3) Is, in all other cases, a Class 3 misdemeanor."

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 G.S. 20-151 is repealed.

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