

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003

H

3

HOUSE BILL 965  
Committee Substitute Favorable 4/29/03  
Third Edition Engrossed 4/30/03

Short Title: Failure to Yield Causing Death or Injuries.

(Public)

Sponsors:

Referred to:

April 9, 2003

A BILL TO BE ENTITLED

AN ACT TO PROVIDE PENALTIES FOR PERSONS WHO CAUSE BODILY  
INJURY OR DEATH WHEN FAILING TO YIELD THE RIGHT-OF-WAY  
UNDER CERTAIN CIRCUMSTANCES.

The General Assembly of North Carolina enacts:

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

**"§ 20-160.1. Failure to yield causing injury or death; penalties.**

(a) Unless the conduct is covered under some other provision of law providing greater punishment, a person who commits the offense of failure to yield while approaching or entering an intersection, turning at a stop or yield sign, entering a roadway, upon the approach of an emergency vehicle, or at highway construction or maintenance shall be punished in the following manner:

(1) Except as provided in subdivisions (2) and (3) of this subsection, when there is bodily injury resulting from the violation, the violator shall be fined two hundred dollars (\$200.00).

(2) When there is serious bodily injury but no death resulting from the violation, the violator shall be fined five hundred dollars (\$500.00) and the violator's drivers license or commercial drivers license shall be suspended for 90 days.

(3) When a death results from the violation, the violator shall be fined one thousand dollars (\$1,000) and the violator's drivers license or commercial drivers license shall be suspended for six months.

(b) As used in this section, 'bodily injury' means a cut, abrasion, bruise, burn, disfigurement, physical pain, illness, any impairment of the function of a bodily member, organ, or mental faculty, or any other injury to the body, no matter how temporary. 'Serious bodily injury' means bodily injury that involves a substantial risk of

1 death, extreme physical pain, protracted and obvious disfigurement, or protracted loss or  
2 impairment of the function of a bodily member, organ, or mental faculty."

3           **SECTION 2.** This act becomes effective December 1, 2003, and applies to  
4 offenses committed on or after that date.