

NORTH CAROLINA GENERAL ASSEMBLY
1963 SESSION

CHAPTER 949
SENATE BILL 518

1 AN ACT TO AMEND G.S. 20-141 TO CLARIFY THE AUTHORITY OF THE STATE
2 HIGHWAY COMMISSION AND LOCAL MUNICIPAL AUTHORITIES TO FIX
3 SPEED LIMITS ON THEIR RESPECTIVE STREETS AND HIGHWAYS.

4
5 The General Assembly of North Carolina do enact:

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7 **Section 1.** G.S. 20-141(b)(5) is hereby amended by inserting after the word
8 "subdivisions" in line 3 and before the numeral "(3)" in line 3 the following numerals: "(1),
9 (2)," and by inserting after the word "highway" in line 5 and before the word "with" in line 5
10 the following words: "outside the corporate limits of a municipality, or upon any part of a
11 highway designated as a part of the Interstate Highway System or other controlled-access
12 facility highway either inside or outside the corporate limits of a municipality," and by
13 inserting after the word "subdivisions" in line 9 and before the numeral "(3)" in line 9 the
14 following numerals: "(1), (2)."

15 **Sec. 2.** G.S. 20-141 (d) is hereby amended by striking out the words "at any
16 intersection or other place or upon any part of a highway" in lines 3 and 4, and by inserting
17 after the word "exist" in line 3 and before the comma "(,)" in line 4 the following words: "upon
18 any part of a highway outside the corporate limits of a municipality or upon any part of a
19 highway designated as a part of the Interstate Highway System or other controlled-access-
20 facility highway either inside or outside the corporate limits of a municipality."

21 **Sec. 3.** G.S. 20-141 (d) is hereby further amended by striking from lines 6 and 7
22 thereof immediately following the word "such" and immediately prior to the word "place", the
23 words "intersection or other".

24 **Sec. 4.** G.S. 20-141 (f) is hereby repealed and struck out.

25 **Sec. 5.** G.S. 20-141 (g) is hereby amended by striking out the words "through
26 highways or upon highways" in line 3, and by inserting after the word "upon" in line 3 and
27 before the word "or" in line 3 the following words: "streets which are not a part of the State
28 highway system and which are not maintained by the State Highway Commission."

29 **Sec. 6.** G.S. 20-141 is hereby amended by adding thereto a new subsection to be
30 designated subsection "(g1)" to follow the unnumbered paragraph in subsection (g) and to read
31 as follows:

32 "(g1) Whenever local authorities within their respective jurisdictions determine upon the
33 basis of an engineering and traffic investigation that a higher maximum speed than those set
34 forth in subdivisions (1), (2), and (3) of Section (b) hereof is reasonable and safe under the
35 conditions found to exist upon any part of a street or highway within the corporate limits of a
36 municipality and which street or highway is a part of the State Highway System, except those
37 highways designated as a part of the Interstate Highway System or other controlled-access-
38 facility highways, said local authorities shall determine and declare a safe and reasonable speed
39 limit, not to exceed a maximum of fifty (50) miles per hour; provided, that the same shall not
40 become effective until the State Highway Commission has passed a concurring ordinance
41 adopting the speed limit so fixed by the local ordinance and, signs are erected giving notice of
42 the authorized speed limit."

1 **Sec. 7.** G.S. 20-141 is further amended by adding thereto a new subsection to be
2 designated as subsection "(g2)" to follow subsection (g1) and to read as follows:

3 "(g2) Whenever local authorities within their respective jurisdictions determine upon the
4 basis of an engineering and traffic investigation that any speed hereinbefore set forth is greater
5 than is reasonable or safe under the conditions found to exist upon any part of a street or
6 highway within the corporate limits of a municipality and which street or highway is a part of
7 the State Highway System, except those highways designated as a part of the Interstate
8 Highway System or other controlled-access-facility highways, said local authority shall
9 determine and declare a safe and reasonable speed limit; provided, that the same shall not
10 become effective until the State Highway Commission has passed a concurring ordinance
11 adopting the speed limit so fixed by the local ordinance and, signs are erected giving notice of
12 the authorized speed limits; provided, further, however, that nothing in this Section shall
13 prohibit local authorities from setting lower speed limits in school zones under the authority of
14 subsection (g3) hereof."

15 **Sec. 8.** G.S. 20-141 is hereby further amended by adding a new subsection to be
16 designated as subsection "(g3)" and to read as follows:

17 "(g3) Whenever a municipal governing body determines upon the basis of an engineering
18 and traffic investigation that any speed hereinbefore set forth is greater than reasonable or safe
19 under the conditions found to exist upon any street or highway within its corporate limits which
20 is a part of a State Highway System, except those highways designated as a part of the
21 Interstate Highway System or other controlled-access-facility highways, and is located in the
22 vicinity of any public or private elementary or secondary school, it shall have authority to
23 reduce by ordinance the speed limit upon such streets and highways abutting school property
24 and for a distance not to exceed five hundred (500) feet on either side of such school property
25 lines to a maximum speed of not less than twenty-five (25) miles per hour, such speed limit to
26 be effective only for thirty minutes prior to and thirty minutes following the times when such
27 school begins and ends its daily schedule; provided, that in the event of a school having
28 different beginning and ending schedules for different groups of pupils, such speed limit may
29 be effective for thirty minutes prior to and thirty minutes following the time of each beginning
30 schedule and each ending schedule; and provided, further, that no speed limit fixed under
31 authority of this subsection shall be effective unless appropriate signs are erected giving notice
32 of the authorized speed limit."

33 **Sec. 9.** G.S. 20-141 (h1) is hereby amended by inserting after the period "(.)" in line
34 9 and before the word "The" in line 9 the following words: "Provided, such minimum speed
35 limit shall be effective as to those highways and streets within the corporate limits of a
36 municipality which are on the State Highway System only when ordinances adopting the
37 minimum speed limit are passed and concurred in by both the State Highway Commission and
38 the local authorities."

39 **Sec. 10.** All laws and clauses of laws in conflict with this Act are hereby repealed.

40 **Sec. 11.** This Act shall be in full force and effect from and after its ratification.

41 In the General Assembly read three times and ratified, this the 18th day of June,

42 1963.