

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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HOUSE BILL 965
Committee Substitute Favorable 4/29/03

Short Title: Failure to Yield Causing Death or Injuries.

(Public)

Sponsors:

Referred to:

April 9, 2003

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE PENALTIES FOR PERSONS WHO CAUSE BODILY
3 INJURY OR DEATH WHEN FAILING TO YIELD THE RIGHT-OF-WAY
4 UNDER CERTAIN CIRCUMSTANCES.

5 The General Assembly of North Carolina enacts:

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

8 "**§ 20-160.1. Failure to yield causing injury or death; penalties.**

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

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

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

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

24 (b) As used in this section, 'bodily injury' means a cut, abrasion, bruise, burn,
25 disfigurement, physical pain, illness, any impairment of the function of a bodily
26 member, organ, or mental faculty, or any other injury to the body, no matter how
27 temporary. 'Serious bodily injury' means bodily injury that involves a substantial risk of
28 death, extreme physical pain, protracted and obvious disfigurement, or protracted loss or
29 impairment of the function of a bodily member, organ, or mental faculty."

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