

# UNIFORM POLICIES RELATING TO TRAFFIC OFFENSES

(Adopted by the Conference of Chief District (Court Judges, November 17, 1983  
Pursuant to N.C. G.S. 7A-148.)

## TRAFFIC OFFENSES FOR WHICH COURT APPEARANCE IS MANDATORY

Effective January 1, 1984

1. All pleas of **not** guilty.
2. All felonies.
3. Driving while subject to an impairing substance. G.S. 20-138.1.
4. Careless and reckless driving. G.S. 20-140.
5. Exceeding the applicable speed limit by over 15 mph.
6. Racing (prearrange, spontaneous, permitting such use of an owned vehicle, betting on prearranged racing). G.S. 20-141.3.
7. Passing stopped school bus. G.S. 20-217.
8. Failure to yield right-of-way to emergency vehicles. G.S. 20-156; G.S. 20-157.
9. Failure to obey directions of a traffic officer, or of a fireman at the scene of a fire. G.S. 20-114.1.
10. Illegal transportation of alcoholic beverage, except as in No.3 on traffic offense waiver list.
11. Failure to stop, etc., at the scene of an accident, or failure to report such an accident. G.S. 20-166; G.S.20-166.1.
12. Driving while license suspended or revoked, or permitting an owned vehicle to be so operated. G.S. 20-28; G.S. 20-34.
13. Possess fictitious, cancelled, revoked, suspended or altered license, or counterfeit, sell, lend, or permit use of license by another or any other violation of G.S. 20-30.
14. Any violation of the financial responsibility laws. (Chapter 20, Articles 9A and 13)
15. Any violation of the vehicle registration laws involving stolen or altered registration plates or certificates.
16. Any violation involving a false affidavit, or false statement under oath, or perjury. G.S. 20-17(5); G.S. 20-31; G.S. 20-112; G.S. 20-313.1
17. Any violation charged in the same warrant or summons with a mandatory court appearance violation.
18. Death by vehicle. G.S. 20-141.4.
19. Impaired instruction. G.S. 20-12.1.
20. Transporting spent nuclear fuel without notifying Highway Patrol. G.S. 20-167.1.
21. Driving by a provisional licensee while drinking or after having consumed alcohol or controlled substance. G.S. 20-138.3.

**TRAFFIC OFFENSES FOR WHICH COURT APPEARANCE MAYBE WAIVED**

**(on execution of written waiver of appearance and trial, and plea of guilty)**

(Adopted by the Conference of Chief District Court Judges, November 17, 1983

Pursuant to N. C. G. S. 7A-148.)

**Effective January 1, 1984**

**A. Speeding violations:**

Speed over the applicable limit	0-5	6-10	11-15
\$35 costs plus fine of	\$0	\$5	\$10

**B. Other violations:**

1. Driving without, or with expired driver’s license (except when revoked or suspended), or operating motorcycle without proper license endorsement, or knowingly permitting an owned vehicle to be so operated ..... \$25 and costs
2. Driving the wrong way on a dual-lane highway ..... \$25 and costs
3. Illegal transportation of 1 liter or less tax paid fortified wine or spirituous liquor in passenger area of motor vehicle (G.S. 18B-401) ..... \$25 and costs
4. Drinking beer while driving (G.S. 18B-401) ..... \$25 and costs
5. Improper passing..... \$10 and costs
6. Failure to dim lights ..... \$10 and costs
7. Height and width violations ..... \$10 and costs
8. Failure to use child restraint system (Effective July 1, 1984) ..... \$10 and costs
9. Driving too slowly..... \$5 and costs
10. Illegal parking in handicapped space ..... \$25 and costs
11. Any other parking violation ..... Costs
12. Violation of vehicle inspection law [G.S. 20-183.2(a)] ..... Costs
13. Exceeding a safe speed..... Costs
14. Following too closely..... Costs
15. Failure to stop for a red light or stop sign or flashing red light..... Costs
16. Failure to yield right of way..... Costs
17. Improper turn and/or improper signal ..... Costs
18. Driving the wrong way on a one-way street..... Costs
19. Improper vehicle equipment..... Costs
20. Failure to reduce speed to avoid accident ..... Costs
21. Violation of the vehicle registration laws, except as in No. 15 of mandatory appearances ..... Costs
22. Any other traffic violation for which court appearance is not mandatory ..... Costs

**OTHER POLICIES RELATING TO TRAFFIC OFFENSES:**

1. G.S. 7A-148 provides that the Chief District Court Judges shall prepare a “uniform schedule” of waivable traffic offenses and otherwise promote the “uniform administration of justice.” In accordance with the statutory mandate, all judicial districts will adhere to the schedule provided herein and individual judicial district policies deviating from this schedule are prohibited.
2. Where more than one charge is made on a uniform traffic citation, the defendant shall be fined only for the offenses carrying the highest fine. Only one bill of costs will be assessed.
3. When a defendant is charged with two traffic offenses arising out of the same transaction, only one citation should be used. If an additional one or two offenses arising out of the same transaction are charged, they should be placed on a separate citation.