

## COURT COSTS AND FEES CHART

The chart below shows court costs in effect as of **August 1, 2013**, and applies to all costs assessed or collected on or after that date, except where otherwise noted, and unless subject to the “waiver exception” of G.S. 7A-304(g).

Changes to costs and fees for 2013 are shaded and blue, and are tagged with bracketed notes according to the dates on which they take effect, e.g. [Jul. 1], [Aug. 1], etc. Legislation enacting new or amended cost items is cited in brackets. Items citing only a bill section (e.g., “[§ 18B.17]”) refer to sections of S.L. 2013-360 (SB 402).

An additional, summary chart of criminal costs has been attached to this cost chart as “Appendix - Criminal Costs Summary.” The appendix summarizes the basic costs common to all dispositions in a particular trial division. It does <b>not</b> include additional cost items that must be assessed depending on individual factors for each case (e.g., FTA fees, supervision fees, jail fees, etc.) or for specific offenses of conviction (e.g. improper equipment or impaired driving); those costs are assessed separately. Neither does it apply to offenses for which the relevant statute assesses specific costs or prohibits the imposition of costs.		
<b>CRIMINAL COURT COSTS</b> G.S. 7A-304, unless otherwise specified		<b>AMOUNT</b>
<b>DISTRICT COURT</b> (including criminal cases before magistrates)		
• General Court of Justice Fee.	General Fund	127.05
	State Bar Legal Aid Account (LAA)	2.45 <sup>1</sup>
		129.50
• Facilities Fee.		12.00
• Phone Systems Fee.		4.00
• Misdemeanant Confinement Fund Fee. G.S. 7A-304(a)(2b).		18.00 <sup>2</sup>
• LEO Retirement/Insurance.		7.50
• [Aug. 1] LEO Training and Certification Fee. [§ 18B.18]		2.00 <sup>3</sup>
<b>TOTAL</b>		173.00
Chapter 20 Fee. G.S. 7A-304(a)(4a) (for conviction of any Chapter 20 offense).		+10.00 <sup>4</sup>
DNA Fee. G.S. 7A-304(a)(9) (criminal offenses, only; does not apply to infractions).		+2.00
Plus \$5.00 service fee for each arrest or service of criminal process, including citations and subpoenas.		+5.00
<b>SUPERIOR COURT</b>		
• General Court of Justice Fee.	General Fund	152.05
	State Bar Legal Aid Account (LAA)	2.45 <sup>1</sup>
		154.50
• Facilities Fee.		30.00
• Phone Systems Fee.		4.00
• LEO Retirement/Insurance.		7.50
• [Aug. 1] LEO Training and Certification Fee. [§ 18B.18]		2.00 <sup>3</sup>
<b>TOTAL</b>		198.00 <sup>5</sup>
Chapter 20 Fee. G.S. 7A-304(a)(4a) (for conviction of any Chapter 20 offense).		+10.00 <sup>4</sup>
DNA Fee. G.S. 7A-304(a)(9) (criminal offenses, only; does not apply to infractions).		+2.00
Plus \$5.00 service fee for each arrest or service of criminal process, including citations and subpoenas.		+5.00

<sup>1</sup> The \$2.45 portion of the General Court of Justice (GCJF) fee allocated to the State Bar’s programs is disbursed to two accounts: \$1.50 to the Bar’s Access to Civil Justice fund under G.S. 7A-474.4; and \$0.95 to the Bar’s Domestic Violence Victim Assistance fund under G.S. 7A-474.19. The remainder of the GCJF is remitted to the General Fund. The NCAOC’s Financial Management System (FMS) will allocate these portions automatically when using the related code sets to assess costs.

<sup>2</sup> The Misdemeanant Confinement Fund fee applies to crimes and infractions in the District Court only, including dispositions before a magistrate. It is not assessed cumulatively under G.S. 7A-304(b) for conviction after appeal to Superior Court and does not apply to offenses that have specified costs (e.g., front seat belt offenses, G.S. 20-135.2A(e)) or that are exempt from costs altogether (e.g., failure to turn headlights when windshield wipers are on, G.S. 20-129(a)(4)).

<sup>3</sup> Effective for costs assessed or collected on or after August 1, 2013, the law enforcement training and certification fee will be allocated entirely to the Criminal Justice Education and Standards Commission. The allocation to the Sheriffs’ Education and Training Standards Commission is eliminated. However, the the amount of the total fee (\$2.00) is unchanged, and the entire fee is allocated to the DOJ under the existing account number, so this change has no effect on the courts. The clerk will continue to assess, collect and disburse the fee with no changes to current procedures.

<sup>4</sup> Like the Misdemeanant Confinement Fund fee, the Chapter 20 fee does not apply to offenses with specified costs or exempt from costs.

<sup>5</sup> When a person convicted of a felony in Superior Court has made a first appearance in District Court, all Superior Court costs plus the District Court General Court of Justice fee shall be assessed. G.S. 7A-304(a)(4).

## COURT COSTS AND FEES CHART

The chart below shows court costs in effect as of **August 1, 2013**, and applies to all costs assessed or collected on or after that date, except where otherwise noted, and unless subject to the “waiver exception” of G.S. 7A-304(g).

Changes to costs and fees for 2013 are shaded and blue, and are tagged with bracketed notes according to the dates on which they take effect, e.g. [Jul. 1], [Aug. 1], etc. Legislation enacting new or amended cost items is cited in brackets. Items citing only a bill section (e.g., “[§ 18B.17]”) refer to sections of S.L. 2013-360 (SB 402).

OTHER CRIMINAL FEES	AMOUNT
Appointment of Counsel Fee for Indigent Defendants. G.S. 7A-455.1. <sup>6</sup>	60.00
Civil Revocation Fee (impaired driving CVRs, only). G.S. 20-16.5(j).	100.00
[Jun. 26] Community Service Fee. G.S. 143B-708. [S.L. 2013-196]	250.00 <sup>7</sup>
Continuous Alcohol Monitoring (CAM) Fee (offenses prior to Dec. 1, 2012). G.S. 20-179. <sup>8</sup>	Varies <sup>9</sup>
Continuous Alcohol Monitoring (CAM) Fee (parolees, only). G.S. 15A-1374. <sup>10</sup>	Varies
Criminal Record Check Fee. G.S. 7A-308(a)(17).	25.00
Dispute Resolution Fee. G.S. 7A-38.3D and G.S. 7A-38.7. <sup>11</sup>	60.00 per mediation
[Sep. 1] Expunction Fee, petitions under G.S. 15A-145, 15A-145.1, 15A-145.2, 15A-145.3, and 15A-145.4. <sup>12</sup> [§ 18B.16]	<b>175.00</b>
[Sep. 1] Expunction Fee, petitions under G.S. 15A-145.5. <sup>13</sup> [§ 18B.16]	<b>175.00</b>
[Sep. 1] Expunction Fee, petitions under G.S. 15A-146. <sup>14</sup> [§ 18B.16]	<b>175.00</b>
Failure to Appear Fee. G.S. 7A-304(a)(6). <sup>15</sup>	200.00
Failure to Comply Fee. G.S. 7A-304(a)(6). <sup>16</sup>	50.00
[Sep. 1] House Arrest with Electronic Monitoring (EHA) One-Time Fee. <sup>17</sup> G.S. 15A-1343(c2). [§ 16C.16 and S.L. 2013-363, § 6.7]	90.00
[Sep. 1] House Arrest with Electronic Monitoring (EHA) Daily Fee. G.S. 15A-1343(c2). <sup>18</sup> [§ 16C.16 and S.L. 2013-363, § 6.7]	<b>4.37/day</b>

<sup>6</sup> This fee is due only if the defendant has been convicted. Of the total fee, \$55.00 is credited to the Indigent Persons’ Attorney Fee Fund, and \$5.00 is credited to the Court Information Technology Fund.

<sup>7</sup> The amount of the community service fee is not changed in 2013, but effective June 26, 2013, the fee may be assessed by the Post-Release Supervision and Parole Commission for post-release supervisees and therefore may be received from post-release supervisees in the county of conviction in the same manner as community service fees from parolees. In addition, effective for all new assessments of the community service fee, the fee should be assessed under FMS account code 24202. The clerk should discontinue the use of code 24201 for new fees. The criminal bills of cost will be updated to assess fees only under code 24202.

<sup>8</sup> When CAM is imposed as a condition of probation for an impaired driving offense committed prior to December 1, 2012, this fee is paid to the clerk in the county of conviction and remitted to the monitoring vendor; for offenses committed on or after that date, fees for CAM imposed as a condition of probation (for any offense) are paid directly to the monitoring vendor by the defendant (or by the local government entity agreeing to pay them), not to the clerk. G.S. 15A-1343.3(b). The fees listed here apply only to CAM as a condition of probation; there appears to be no authority to assess fees against the defendant for CAM as a condition of pretrial release.

<sup>9</sup> The exact fee amount will depend on the monitoring vendor. For offenses committed prior to December 1, 2011, the total CAM fees assessable against the defendant as a condition of probation for an impaired driving offense are capped at \$1,000.00. G.S. 20-179(h1). For offenses committed on or after that date, there is no cap. S.L. 2011-191, §1 (repealing the cap language from G.S. 20-179(h1)).

<sup>10</sup> Parolees’ CAM fees paid pursuant to G.S. 15A-1374(d) are paid to the clerk in the county of conviction. The exact fee amount will depend on the monitoring vendor. The clerk transmits any CAM fees collected from a parolee to the vendor. Note that this provision applies only to parolees; there is no statutory provision for the clerk to receipt CAM fees from an offender on post-release supervision.

<sup>11</sup> This fee applies to cases resolved through community mediation, and is remitted to the “Mediation Network of North Carolina,” rather than to the State Treasurer.

<sup>12</sup> The expunction fee under G.S. 15A-145 through 15A-145.4 is disbursed to the Department of Justice (\$122.50) and to the NCAOC (\$52.50). The fee does not apply to a person permitted to petition as an indigent.

<sup>13</sup> The expunction fee under G.S. 15A-145.5 is disbursed to the General Fund. The fee does not apply to a person permitted to petition as an indigent.

<sup>14</sup> The expunction fee of G.S. 15A-146 applies only when the petition to expunge includes a charge that was dismissed pursuant to a deferred prosecution. It is not assessed for a petition on which all charges were dismissed for any other reason or for which the defendant was acquitted. This fee is disbursed to the Department of Justice (\$122.50) and to the NCAOC (\$52.50). The fee does not apply to a person permitted to petition as an indigent.

<sup>15</sup> This fee applies to a failure to appear after 20 days in any criminal or infraction case, not just motor vehicle cases.

<sup>16</sup> This fee applies to a failure to comply after 20 days in any criminal or infraction case, not just motor vehicle cases.

<sup>17</sup> Effective September 1, 2013, pursuant to S.L. 2013-360, § 16C.16, as amended by S.L. 2013-363, § 6.7.(c). Further, pursuant to S.L. 2013-363, § 6.7.(a), effective September 1, 2013, the EHA fee applies to EHA imposed by the court both under G.S. 15A-1343(a1) (community and intermediate probation conditions) and (b1) (special conditions). Prior to September 1, the fee applies only to EHA as a special condition of probation under subsection (b1). The fee does not apply to EHA imposed pursuant to a probation officer’s delegated authority under G.S. 15A-1343.2. Until their revision in Fall 2013, the criminal judgment forms that include the EHA option under subsection (a1) (AOC-CR-603C, Page Two) will continue to include a note to the clerk not to assess the EHA fee under subsection (a1) unless specifically ordered by the court to assess it. Effective for orders entered on or after September 1, 2013, the clerk should disregard that note and assess the fee whenever the court imposes EHA under subsection (a1), unless it is waived by the court.

## COURT COSTS AND FEES CHART

The chart below shows court costs in effect as of **August 1, 2013**, and applies to all costs assessed or collected on or after that date, except where otherwise noted, and unless subject to the “waiver exception” of G.S. 7A-304(g).

Changes to costs and fees for 2013 are shaded and blue, and are tagged with bracketed notes according to the dates on which they take effect, e.g. [Jul. 1], [Aug. 1], etc. Legislation enacting new or amended cost items is cited in brackets. Items citing only a bill section (e.g., “[§ 18B.17]”) refer to sections of S.L. 2013-360 (SB 402).

OTHER CRIMINAL FEES	AMOUNT
Impaired Driving Fee. G.S. 7A-304(a)(10). <sup>19</sup> <b>Note:</b> Applies only to offenses committed on or after December 1, 2011.	100.00
Improper Equipment Fee. G.S. 7A-304(a)(4b). <sup>20</sup>	50.00
Installment Payments Fee. G.S. 7A-304(f). <sup>21</sup>	20.00
Jail Fees (pre-conviction). G.S. 7A-313.	10.00 per 24 hours or fraction thereof
Jail Fees (split sentence served in local facility). G.S. 7A-313 and G.S. 148-29.	40.00 per day
Limited Driving Privilege Fee – Petitions under G.S. 20-20.1. <div style="text-align: right;">At Petition/Application: If Issued: (G.S. 20-20.2)</div>	CVD Costs +100.00
Limited Driving Privilege Fee – Other than under G.S. 20-20.1. <b>Note:</b> If there is no underlying conviction in the county, charge civil filing fees as explained on form AOC-CV-350. <div style="text-align: right;">If Issued: (G.S. 20-20.2)</div>	100.00
Pretrial Release Service Fee (county). G.S. 7A-304(a)(5). <sup>22</sup>	15.00
Satellite-Based Monitoring Fee for Sex Offenders. G.S. 14-208.45.	90.00

<sup>18</sup> The EHA Daily Fee applies in the same manner as the one-time EHA fee. It applies to EHA imposed by the court under G.S. 15A-1343(a1) or (b1), but does not apply to EHA imposed pursuant to a probation officer’s delegated authority under G.S. 15A-1343.2.

<sup>19</sup> Unlike other costs, which generally are effective based on the date they are assessed or collected, the impaired driving fee is effective only for offenses committed on or after December 1, 2011. It should not be assessed for offenses committed prior to that date, no matter when the case is disposed. Further, the fee applies only to offenses sentenced under G.S. 20-179: impaired driving (G.S. 20-138.1), commercial impaired driving (G.S. 20-138.2), a second or subsequent conviction of operating a commercial vehicle after consuming alcohol (G.S. 20-138.2A), or a second or subsequent conviction of operating a school bus, activity bus, child care vehicle, ambulance, emergency medical services vehicle, firefighting vehicle, or law enforcement vehicle after consuming alcohol (G.S. 20-138.2B).

<sup>20</sup> The improper equipment fee applies to any defendant found guilty or responsible for an improper equipment offense in Chapter 20. See “Appendix - Chapter 20 Improper Equipment Offenses” for a list. This fee is charged in addition to the \$10.00 fee of G.S. 7A-304(a)(4a) that applies to all Chapter 20 offenses, and applies to both cases disposed in court and those disposed by waiver (unless subject to the waiver exception of G.S. 7A-304(g) for offenses committed prior to August 1, 2011).

<sup>21</sup> Unless otherwise ordered by the court, this fee must be assessed when a defendant with monetary obligations in a criminal judgment does not make payment in full on the date costs are assessed.

<sup>22</sup> The pretrial release services fee of G.S. 7A-304(a)(5) may be assessed upon conviction and remitted to a county providing pretrial release services, if the defendant was accepted and released to the supervision of a county agency. This fee is separate from and in addition to any fees assessed directly by the county under G.S. 7A-313.1 when the defendant has received pretrial electronic monitoring by a county agency. If the defendant has been accepted and released to the supervision of a county agency that provides pretrial services that include electronic monitoring, the court should assess and receipt only the \$15.00 pretrial services fee upon conviction. Any fees assessed for electronic monitoring under G.S. 7A-313.1 must be paid directly to the county by the defendant.



## COURT COSTS AND FEES CHART

The chart below shows court costs in effect as of **August 1, 2013**, and applies to all costs assessed or collected on or after that date, except where otherwise noted, and unless subject to the “waiver exception” of G.S. 7A-304(g).

Changes to costs and fees for 2013 are shaded and blue, and are tagged with bracketed notes according to the dates on which they take effect, e.g. [Jul. 1], [Aug. 1], etc. Legislation enacting new or amended cost items is cited in brackets. Items citing only a bill section (e.g., “[§ 18B.17]”) refer to sections of S.L. 2013-360 (SB 402).

<b>OTHER CRIMINAL FEES</b>	<b>AMOUNT</b>
[Jul. 1] State Crime Lab Fee. G.S. 7A-304(a)(7). <sup>23</sup> [§ 17.6.(g)]	600.00
Local Government Lab Fee. G.S. 7A-304(a)(8).	600.00
[Aug. 1] State Lab Analyst Expert Witness Fee. G.S. 7A-304(a)(11) <sup>24</sup> [§ 18B.19]	<b>600.00</b>
[Aug. 1] Local Lab Analyst Expert Witness Fee. G.S. 7A-304(a)(12) <sup>25</sup> [§ 18B.19]	<b>600.00</b>
Seat Belt Violations (adult, front seat) and Motorcycle/Moped Helmet Violations. <sup>26</sup> G.S. 20-135.2A and G.S. 20-140.4.	25.50 fine +costs below:
General Court of Justice Fee, G.S. 7A-304(a)(4)	129.50 (Dist.) 154.50 (Sup.)
Phone Systems Fee, G.S. 7A-304(a)(2a)	4.00
LEO Training and Certification Fee, G.S. 7A-304(a)(3b)	2.00
<b>TOTAL</b>	161.00 (Dist.) 186.00 (Sup.)
Seat Belt Violations (adult, rear seat). G.S. 20-135.2A(e).	No Costs 10.00 fine only
Supervision Fee. G.S. 15A-1343, G.S. 15A-1368.4, and G.S. 15A-1374.	40.00 per month
Worthless Check Program Fee. G.S. 7A-308(c). <sup>27</sup>	60.00

<sup>23</sup> S.L. 2013-360, § 17.6.(g), transferred the State Crime Laboratory out of the State Bureau of Investigation and renamed it the “State Crime Laboratory” (formerly the “State Bureau of Investigation Crime Laboratory”). The name of the lab fee therefore is changed, but there is no change to the fee’s amount or the procedures for its assessment and disbursement.

<sup>24</sup> The State Lab Analyst Expert Witness fee is assessed in addition to the State Crime Lab fee of G.S. 7A-307(a)(7), but the expert witness fee applies only when the expert witness: (i) is employed by the State Crime Lab; (ii) completed a chemical analysis pursuant to G.S. 20-139.1 or a forensic analysis pursuant to G.S. 8-58.20; and (iii) provided testimony about that analysis in the defendant’s trial.

<sup>25</sup> The Local Lab Analyst Expert Witness fee is assessed in addition to the Local Crime Lab fee of G.S. 7A-307(a)(8), but the expert witness fee applies only when the expert witness: (i) is employed by a crime laboratory operated by a local government or group of local governments; (ii) completed a chemical analysis pursuant to G.S. 20-139.1 or a forensic analysis pursuant to G.S. 8-58.20; and (iii) provided testimony about that analysis in the defendant’s trial.

<sup>26</sup> Note that the bill of costs (AOC-CR-381) does not have a pre-printed entry for the costs applicable to offenses for adult front-seat seat belt violations and motorcycle/moped helmet and occupancy violations. Clerks should assess the three costs identified individually on the bill of costs. These three cost items are the only costs to be assessed for these offenses. Do not assess any of the other costs under G.S. 7A-304(a). However, pursuant to G.S. 7A-304(b), the three costs are cumulative on appeal. *E.g.*, a defendant found responsible for a motorcycle helmet violation in Superior Court after appeal from the District Court would pay a fine of \$25.50 plus \$296.00 in costs: both General Court of Justice fees, plus two assessments (one for District Court and one for Superior Court) of both the Phone Systems Fee and the LEO Training and Certification Fee.

<sup>27</sup> For districts that still operate a worthless check program, the clerk should continue to receipt the worthless check program fee of G.S. 7A-308(c) and remit it to the State. The amount of the fee remains \$60.00. In addition, G.S. 14-107.2 allows a community mediation center to assist the NCAOC and district attorneys by establishing a worthless check program in districts where such programs have not been established and to charge for its services as part of such a program. However, the fees for such services are not set by statute, and are not to be receipted by the clerk. The center must assess its fees directly for users of its services in these cases. Further, the clerk should not assess the criminal mediation fee of G.S. 7A-38.7 when a community mediation center mediates a worthless check matter in the context of a pre-prosecution worthless check program. The clerk may receipt and disburse only the statutory program fee of G.S. 7A-308(c) and restitution to the check taker for the amount of the check plus any service charges and processing fees incurred or charged by the check taker.



## Appendix - Criminal Costs Summary

In Effect As Of August 1, 2013

Category <sup>1</sup>	Total Amount	Amounts & Amount Descriptions			
District Court Infraction (IFC/IF_)	<b>178.00</b>	129.50	GCJ	18.00	Misd. Confinement
		12.00	Facilities	5.00	Service
		4.00	Telephone		
		7.50	LEO Retirement		
		2.00	LEO Training		
District Court Infraction Chapter 20 Offense (IFTC/IFT_)	<b>188.00</b>	129.50	GCJ	18.00	Misd. Confinement
		12.00	Facilities	5.00	Service
		4.00	Telephone	10.00	Chapter 20
		7.50	LEO Retirement		
		2.00	LEO Training		
District Court Misdemeanor (CRDC/CRD_)	<b>180.00</b>	129.50	GCJ	18.00	Misd. Confinement
		12.00	Facilities	5.00	Service
		4.00	Telephone	2.00	DNA
		7.50	LEO Retirement		
		2.00	LEO Training		
District Court Misdemeanor Chapter 20 Offense (CRTC/CRT_)	<b>190.00</b>	129.50	GCJ	18.00	Misd. Confinement
		12.00	Facilities	5.00	Service
		4.00	Telephone	2.00	DNA
		7.50	LEO Retirement	10.00	Chapter 20
		2.00	LEO Training		
Superior Court <u>without</u> First Appearance in District Court (CRSC/CRS_)	<b>205.00</b>	154.50	GCJ	5.00	Service
		30.00	Facilities	2.00	DNA
		4.00	Telephone		
		7.50	LEO Retirement		
		2.00	LEO Training		
Superior Court <u>without</u> First Appearance in District Court Chapter 20 Offense	<b>215.00</b>	154.50	GCJ	5.00	Service
		30.00	Facilities	2.00	DNA
		4.00	Telephone	10.00	Chapter 20
		7.50	LEO Retirement		
		2.00	LEO Training		
Superior Court <u>with</u> First Appearance in District Court (CRDS)	<b>334.50</b>	154.50	GCJ (Sup)	5.00	Service
		129.50	GCJ (Dist)	2.00	DNA
		30.00	Facilities		
		4.00	Telephone		
		7.50	LEO Retirement		
		2.00	LEO Training		
Superior Court <u>with</u> First Appearance in District Court  Chapter 20 Offense	<b>344.50</b>	154.50	GCJ (Sup)	5.00	Service
		129.50	GCJ (Dist)	2.00	DNA
		30.00	Facilities	10.00	Chapter 20
		4.00	Telephone		
		7.50	LEO Retirement		
		2.00	LEO Training		

<sup>1</sup> These totals do not apply to offenses for which specific court costs are assessed, such as adult front seat belt offenses, G.S. 20-135.2A, or offenses that do not bear court costs, such as failure to burn headlights with wipers on, G.S. 20-129(a)(4). Nor do they include the \$50.00 that must be assessed for conviction of an improper equipment offense, per G.S. 7A-304(a)(4b), or the impaired driving fee of \$100.00 under G.S. 7A-304(a)(10).



Category	Total Amount	Amounts & Amount Descriptions			
Superior Court Infraction Appealed from District Court for Trial De Novo (IFDA)	<b>368.50</b>	129.50	GCJ (Dist)	154.50	GCJ (Sup)
		12.00	Facilities (Dist)	30.00	Facilities (Sup)
		4.00	Telephone (Dist)	4.00	Telephone (Sup)
		7.50	LEO Retirement	2.00	LEO Training (Sup)
		2.00	LEO Training (Dist)		
		18.00	Misd. Confinement		
		5.00	Service		
Superior Court Infraction Appealed from District Court for Trial De Novo Chapter 20 Offense (IFTA)	<b>388.50</b>	129.50	GCJ (Dist)	154.50	GCJ (Sup)
		12.00	Facilities (Dist)	30.00	Facilities (Sup)
		4.00	Telephone (Dist)	4.00	Telephone (Sup)
		7.50	LEO Retirement	2.00	LEO Training (Sup)
		2.00	LEO Training (Dist)	10.00	Chapter 20 (Sup)
		18.00	Misd. Confinement		
		5.00	Service		
		10.00	Chapter 20 (Dist)		
Superior Court Misdemeanor Appealed from District Court for Trial De Novo (CRDA)	<b>372.50</b>	129.50	GCJ (Dist)	154.50	GCJ (Sup)
		12.00	Facilities (Dist)	30.00	Facilities (Sup)
		4.00	Telephone (Dist)	4.00	Telephone (Sup)
		7.50	LEO Retirement	2.00	LEO Training (Sup)
		2.00	LEO Training (Dist)	2.00	DNA (Sup)
		18.00	Misd. Confinement		
		5.00	Service		
		2.00	DNA (Dist)		
Superior Court Misdemeanor Appealed from District Court for Trial De Novo Chapter 20 Offense (CRTA)	<b>392.50</b>	129.50	GCJ (Dist)	154.50	GCJ (Sup)
		12.00	Facilities (Dist)	30.00	Facilities (Sup)
		4.00	Telephone (Dist)	4.00	Telephone (Sup)
		7.50	LEO Retirement	2.00	LEO Training (Sup)
		2.00	LEO Training (Dist)	2.00	DNA (Sup)
		18.00	Misd. Confinement	10.00	Chapter 20 (Sup)
		5.00	Service		
		2.00	DNA (Dist)		
		10.00	Chapter 20 (Dist)		



## Appendix - Chapter 20 Improper Equipment Offenses

Set out below is a table of Chapter 20 “improper equipment offenses.”

Effective for costs assessed or collected on or after August 1, 2011 (unless the waiver exception of G.S. 7A-304(g) applies for a process issued prior to that date), a defendant who is found guilty or responsible for an “improper equipment offense” under Chapter 20 must pay a fee of \$50.00 in addition to the standard Chapter 20 criminal/infracton costs amount. See G.S. 7A-304(a)(4b). The office of the Clerk of Superior Court will remit this additional \$50.00 to the Division of Adult Correction for the Statewide Misdemeanant Confinement Fund. *Id.*

The Chief District Court Judges traditionally have limited “improper equipment offenses” on the list of waivable traffic offenses to equipment violations found in Part 9 of Article 3 of Chapter 20.<sup>29</sup> The judges have, however, distinguished “equipment violations” in Part 9 from “height, length and width” violations in Part 9.<sup>30</sup> Using the waiver list as guidance, the NCAOC interprets the “improper equipment” fee to apply to any offense in Part 9 *other* than (i) violations relating to vehicle height, length and width and (ii) violations that otherwise could be considered equipment violations, but for which the equipment element of the offense is derivative of the height, width or length nature of the offense. An example of the latter would be violations of G.S. 20-117 (flags and lights at the end of loads), for which the equipment (the flag) is required only because of a load that has extended the overall length of the vehicle.

For each improper equipment offense, the table lists the statutory citation, the offense code description (or simply a brief description of the offense if there is no offense code for the violation), and the offense code (if one exists).

Statute	Description	Offense Code
G.S. 20-116(g)	IMPROPER LOADING/COVERING VEH	4425
G.S. 20-117.1(a)	BUS, TRUCK OR TRUCK TRACTOR MIRROR VIOLATION	None
G.S. 20-120	FLAT TRUCK OR TOBACCO TRUCK LOAD VIOLATION	None
G.S. 20-121.1	LOW-SPEED VEHICLE EQUIPMENT VIOLATION	None
G.S. 20-122	TIRE RESTRICTIONS EQUIP VIOL	4421
G.S. 20-122.1	UNSAFE TIRES	4462
G.S. 20-123	IMPROPER TOWING	4413
G.S. 20-123.1	IMPROPER STEERING MECHANISM	4423
G.S. 20-123.2	IMPROPER EQUIP - SPEEDOMETER	4418
G.S. 20-124	IMPROPER BRAKES	4488
G.S. 20-125	HORN AND WARNING DEVICE VIO	4404
G.S. 20-125.1	DIRECTIONAL SIGNALS EQUIP VIOL	4426
G.S. 20-126	MIRROR VIOLATION	4407
G.S. 20-127(a)	WINDSHIELD WIPER EQUIP VIOL	4490
G.S. 20-127(d)	WINDOW TINTING VIOL	5596
G.S. 20-128	IMPROPER MUFFLER	4486
G.S. 20-128.1	EMISSIONS CONTROL VIOLATION	None
G.S. 20-129(a) <sup>31</sup>	FAIL TO BURN HEADLAMPS	4445
G.S. 20-129(b)	DRIVE WITHOUT TWO HEADLAMPS	4492
G.S. 20-129(c)	MOTORCYCLE FAIL BURN HEADLAMP	4422
G.S. 20-129(d)	MOTORCYCLE FAIL BURN TAILLIGHT	4424
G.S. 20-129(d)	REAR LAMPS VIOLATION	4427

<sup>29</sup> See, e.g., the 2011 edition of Traffic Offenses for which Court Appearance May Be Waived (December 1, 2011), Item B.39., at: [http://www.nccourts.org/Courts/Trial/Documents/01\\_traffic-2011.pdf](http://www.nccourts.org/Courts/Trial/Documents/01_traffic-2011.pdf).

<sup>30</sup> See, e.g., the 2011 edition of Traffic Offenses for which Court Appearance May Be Waived (December 1, 2011), Item B.38.

<sup>31</sup> The table does not include a violation of G.S. 20-129(a)(4) (offense code 4446), for failing to burn headlights when windshield wipers are in use, because the statute prohibits the assessment of court costs for that offense.

<b>Statute</b>	<b>Description</b>	<b>Offense Code</b>
G.S. 20-129(e)	BICYCLE LIGHT VIOLATION	None
G.S. 20-129(f)	FARM TRACTOR OR OTHER VEHICLE LIGHT VIOLATION	None
G.S. 20-129(g)	BRAKE/STOP LIGHT EQUIP VIOL	4429
G.S. 20-129.1	ADDITIONAL LIGHTING EQUIP VIOL	4435
G.S. 20-129.2	MOBILE HOME LIGHTING VIOLATION	None
G.S. 20-130	SPOT LAMP OR AUXILIARY LAMP VIOLATION	None
G.S. 20-130.1(e)	USE OF RED OR BLUE LIGHT	5576
G.S. 20-130.2	AMBER LIGHT VIOLATION	None
G.S. 20-130.3	WHITE LIGHT REAR – DRIVE FORWARD	4436
G.S. 20-131(a)	FAILURE TO DIM LIGHTS MEET VEH	4554
G.S. 20-131	HEADLAMP OR AUXILIARY LAMP VIOLATION (OTHER THAN FAILURE TO DIM LIGHTS UNDER CODE 4554)	None
G.S. 20-132	ACETYLENE LIGHTS VIOLATION	None
G.S. 20-134	NO LIGHTS ON PARKED VEHICLE	4481
G.S. 20-134(b)	RURAL LETTER CARRIER VEHICLE OR NEWSPAPER DELIVERY VEHICLE LIGHT VIOLATION	None
G.S. 20-135	DOOR, WINDOW, WINDSHIELD, WING OR PARTITION GLASS VIOLATION	None
G.S. 20-135.2	FRONT SEAT BELT CONSTRUCTION OR INSTALLATION VIOLATION	None
G.S. 20-135.3	REAR SEAT BELT CONSTRUCTION OR INSTALLATION VIOLATION	None
G.S. 20-136	SMOKE SCREEN DEVICE VIOLATION	None
G.S. 20-136.2	AIR BAG INSTALLATION VIOLATION	None
G.S. 20-137.1(a)	FAIL TO SECURE PASSENGER UNDER 16	4472
G.S. 20-137.2	LAW ENFORCEMENT VEHICLE RESEMBLANCE VIOLATION	None

