

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 515

Short Title: Speeding, Reckless Driving In Work Zone.

(Public)

Sponsors: Representatives Sam Hunt; and Bowman.

Referred to: Judiciary III.

April 1, 1991

A BILL TO BE ENTITLED

1 AN ACT TO MAKE SPEEDING IN A HIGHWAY WORK ZONE A
2 MISDEMEANOR, TO IMPOSE A MINIMUM FINE FOR RECKLESS DRIVING
3 IN A HIGHWAY WORK ZONE, AND TO PROHIBIT THE IMPOSITION OF
4 CERTAIN FINES FOR RECKLESS DRIVING IN A WORK ZONE UNLESS A
5 SIGN ADVISES MOTORISTS OF THE FINES.
6

7 The General Assembly of North Carolina enacts:

8 Section 1. G.S. 20-140(d) reads as rewritten:

9 "(d) Reckless driving as defined in subsections (a) and (b) is a misdemeanor,
10 punishable by imprisonment not to exceed six months or a fine not to exceed five
11 hundred dollars (\$500.00), or both a fine and imprisonment. A reckless driving offense
12 that occurs in a highway work zone, as defined in G.S. 20-141(j2), is punishable by a
13 minimum fine of one hundred dollars (\$100.00) and is otherwise punishable as provided
14 in this subsection. The minimum fine or a fine greater than the minimum fine may not
15 be imposed for an offense that occurs in a highway work zone unless a sign at the
16 beginning of the highway work zone states the minimum and maximum fine for a
17 reckless driving violation occurring in that work zone."

18 Sec. 2. G.S. 20-141 is amended by adding a new subsection to read:

19 "(j2) A person who drives a motor vehicle in a highway work zone in violation of
20 subsection (a) of this section is guilty of a misdemeanor and is punishable by a fine of
21 not less than fifty dollars (\$50.00) nor more than three hundred dollars (\$300.00),
22 imprisonment for up to 180 days, or both. A 'highway work zone' is the area between
23 the first sign that informs motorists of the existence of a work zone on a highway and
24 the last sign that informs motorists of the end of the work zone. The minimum fine in

1 this subsection or a fine greater than the minimum fine may not be imposed unless a
2 sign at the beginning of the highway work zone states the minimum and maximum fine
3 for a speeding violation committed in that work zone. Driving in a highway work zone
4 at a speed greater than the advisory speed limit indicated by a sign at the work zone is
5 **prima facie** evidence of driving at a speed greater than is reasonable and prudent under
6 the conditions."

7 Sec. 3. This act becomes effective October 1, 1991, and applies to offenses
8 committed on or after that date.