

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007**

**SESSION LAW 2007-380
SENATE BILL 925**

AN ACT TO AMEND THE LAW ALLOWING IMPROPER EQUIPMENT AS A LESSER INCLUDED OFFENSE OF SPEEDING AND TO PRECLUDE A PRAYER FOR JUDGMENT CONTINUED AS A DISPOSITION WHERE A DRIVER EXCEEDS THE POSTED SPEED LIMIT BY MORE THAN TWENTY-FIVE MILES PER HOUR.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-141(o) reads as rewritten:

"§ 20-141. Speed restrictions.

(o) A violation of G.S. 20-123.2 shall be a lesser included offense in any violation of this ~~section~~section, and shall be subject to the following limitations and conditions:

- (1) A violation of G.S. 20-123.2 shall be recorded in the driver's official record as "Improper equipment – Speedometer."
- (2) The lesser included offense under this subsection shall not apply to charges of speeding in excess of 25 miles per hour or more over the posted speed limit.

No drivers license points or insurance surcharge shall be assessed on account of a violation of this subsection."

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

"(p) A driver charged with speeding in excess of 25 miles per hour over the posted speed limit shall be ineligible for a disposition of prayer for judgment continued."

SECTION 3. This act becomes effective December 1, 2007, and applies to offenses committed on or after that date.

In the General Assembly read three times and ratified this the 2nd day of August, 2007.

s/ Charlie S. Dannelly
Deputy President Pro Tempore of the Senate

s/ Joe Hackney
Speaker of the House of Representatives

s/ Michael F. Easley
Governor

Approved 6:58 p.m. this 19th day of August, 2007