

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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SENATE BILL 925
Judiciary I (Civil) Committee Substitute Adopted 5/22/07
House Committee Substitute Favorable 7/28/07

Short Title: Speeding Law Changes.

(Public)

Sponsors:

Referred to:

March 20, 2007

A BILL TO BE ENTITLED

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, with all of the following limitations and conditions:

- (1) The violation of G.S. 20-123.2 shall be recorded in the driver's official record as "Improper equipment – Speedometer."
- (2) A driver shall only be eligible for two violations of G.S. 20-123.2 as a lesser included offense under this section in a five-year period.
- (3) A driver charged with speeding in excess of 25 miles per hour over the posted limit shall be ineligible for the lesser included offense provided in this section.

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.