

TRAFFIC OFFENSES FOR WHICH COURT APPEARANCE MAY BE WAIVED

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

(Adopted by the Conference of Chief District Court Judges, October 16, 2013, pursuant to N.C.G.S. 7A-148)

Applies To Offenses Committed On Or After December 1, 2013

A. Speeding Violations:

1. Speed over the applicable limit (including a limit imposed by permit on a commercial vehicle) and over 55 mph but not over 80 mph	0-5	6-10	11-15	
Cost plus fine of	\$10	\$15	\$30	
2. Speed over the applicable limit (including a limit imposed by permit on a commercial vehicle) but 55 mph or under	0-5	6-10	11-15	16 & over
Cost plus fine of	\$10	\$15	\$30	\$50
3. Exceeding a safe speed or exceeding posted speed (where actual speed not specified) except as in No. 21 and No. 22 of mandatory appearances. [G.S. 20-141]				\$ 25 and Costs
4. Speeding in school zone or on school property. [G.S. 20-141(e1); G.S. 20-141.1]				\$250 and Costs
5. Driving too slowly. [G.S. 20-141(h)]				\$ 25 and Costs
6. Speeding in a work zone, except as in No. 21 and No. 22 of mandatory appearances. [G.S. 20-141(j2)]				\$250 and Costs
7. Failure to reduce speed to avoid accident. [G.S. 20-141(m)]				\$ 50 and Costs

B. Other Violations:

1. Driving without non-commercial drivers license (except when revoked or suspended), or operating motorcycle without proper license endorsement, or knowingly permitting an owned vehicle to be so operated, or violating restrictions on graduated licenses. [G.S. 20-7; G.S. 20-11; G.S. 20-32; G.S. 20-34]				\$ 50 and Costs
2. Failure to carry license while driving vehicle, or driving with expired non-commercial license. [G.S. 20-7(a), (f)]				\$ 25 and Costs
3. Illegal parking in handicapped space. [G.S. 20-37.6]				\$100 and Costs
4. Operating vehicle with improper dealer or transporter plates. [G.S. 20-79(e)(1); G.S. 20-79.2(b2)(1)]				\$100 and Costs
5. Improper use of temporary registration plates issued by dealers. [G.S. 20-79.1]				Costs
6. Failure to mark certain business vehicles. [G.S. 20-101]				\$ 25 and Costs
7. Violation of motor vehicle combination limitation with semitrailer less than 50 feet. [G.S. 20-115.1(h), (i)]				\$100 and Costs
8. Violation of motor vehicle combination limitation with semitrailer 50 feet or more. [G.S. 20-115.1(h), (i)]				\$200 and Costs
9. Use of darkened windows in motor vehicle. [G.S. 20-127(b)-(d)]				\$ 50 and Costs
10. Failure to use headlights when wipers on. [G.S. 20-129(a)(4)]				\$ 5
11. Failure to dim lights. [G.S. 20-131; G.S. 20-181]				\$ 10 and Costs
12. Failure to use seat belts in <u>front</u> seat. [G.S. 20-135.2A]				\$ 25.50 and \$135.50 Costs
13. Failure to use seat belts in <u>rear</u> seat. [G.S. 20-135.2A]				\$ 10
14. Transporting child under 16 in open bed or open cargo area. [G.S. 20-135.2B]				\$ 25
15. Failure to use appropriate child restraint system. [G.S. 20-137.1]				\$ 25 and Costs
16. Cell phone use by driver under 18. [G.S. 20-137.3]				\$ 25
17. Driving while texting, except as in No. 13 of mandatory appearances. [G.S. 20-137.4A]				\$100 and Costs
18. Transporting alcohol in commercial vehicle. [G.S. 20-138.2C]				\$ 50 and Costs
19. Possession of open container of alcoholic beverage in motor vehicle. [G.S. 20-138.7(a1)]				\$ 25 and Costs
20. Failure to wear helmet, or having too many passengers, on motorcycle or moped. [G.S. 20-140.4]				\$ 25.50 and \$135.50 Costs
21. Lane violations. [G.S. 20-146]				\$ 50 and Costs
22. Driving left of center. [G.S. 20-148]				\$ 25 and Costs
23. Improper passing, except as in No. 28 of mandatory appearances. [G.S. 20-149(a), (b)(3); G.S. 20-150; G.S. 20-150.1]				\$ 50 and Costs
24. Following too closely. [G.S. 20-152]				\$ 35 and Costs
25. Improper turn, starting, stopping and/or improper signal. [G.S. 20-153; G.S. 20-154]				\$ 25 and Costs
26. Improper turn, starting or stopping that causes motorcycle operator to change or leave travel lanes. [G.S. 20-154(a1)]				\$200 and Costs
27. Improper turn, starting or stopping that results in crash causing property damage or personal injury to motorcycle operator or passenger. [G.S. 20-154(a1)]				\$500 and Costs
28. Failure to yield right of way. [G.S. 20-155; G.S. 20-158.1]				\$ 35 and Costs
29. Failure to yield right of way to emergency vehicles, except as in No. 30 of mandatory appearances. [G.S. 20-156]				\$ 50 and Costs
30. Interfering with or failing to move over for emergency/public service vehicles. [G.S. 20-157(b)-(f)]				\$250 and Costs
31. Failure to stop for stoplight or traffic control signal or stop sign. [G.S. 20-158]				\$ 50 and Costs
32. Failure to yield to pedestrian. [G.S. 20-158(b)(2)c]				\$100 and Costs
33. Driving the wrong way on a one-way street. [G.S. 20-165.1; G.S. 20-169]				\$ 50 and Costs
34. Failure to remove from the roadway a vehicle involved in an accident. [G.S. 20-166(c2)]				\$ 25 and Costs

35. Violation of bicycle helmet law. [G.S. 20-171.9].....	\$ 10
36. Violation of vehicle inspection law. [G.S. 20-183.8(a); G.S. 20-384].....	\$ 25 and Costs
37. Parking and towing violations under G.S. 20-219.2.....	\$150 and Costs
38. Financial responsibility violations under G.S. 20-313(a).....	\$ 50 and Costs
39. Any parking violation other than violation of the handicapped parking laws.	\$ 25 and Costs
40. Violation of the vehicle registration laws, except as in No. 10 of mandatory appearances.....	\$ 25 and Costs
41. Height, length and width violations. [G.S. Ch. 20, Art. 3, Part 9].....	\$ 25 and Costs
42. Improper vehicle equipment. [G.S. Ch. 20, Art. 3, Part 9].....	\$ 25 and Costs
43. Any other non-mandatory traffic violation as explained in the “OTHER POLICIES RELATING TO TRAFFIC OFFENSES” below.....	\$ 25 and Costs
44. Intentional or reckless littering under G.S. 14-399(c).....	\$250 and Costs
45. Unintentional littering under G.S. 14-399(c1).....	\$ 50 and Costs
46. Violation of local ordinance regulating operation or parking of vehicles.....	\$ 25 and Costs

OTHER POLICIES RELATING TO TRAFFIC OFFENSES:

1. G.S. 7A-148 provides that the Conference of Chief District Court Judges shall prepare a “uniform schedule” of waivable traffic offenses and otherwise promote the “uniform administration of justice.” In accordance with this statutory mandate, all judicial districts must adhere to this schedule, 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 offense 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.
4. The traffic offenses waiver list does not apply to littering charges under G.S. 14-399(c) or (c1), if the defendant is charged with a second offense under the subsection.
5. An offense may be waived under No. 43 on the traffic offenses waiver list if it does not otherwise appear on these lists and it is located in one of the following Articles or Parts of Articles in Chapter 20 of the North Carolina General Statutes: Article 2 (G.S. 20-5 through 20-37.02); Article 3, Part 9 (G.S. 20-115 through 20-137.2), Parts 10 and 10A (G.S. 20-138.1 through 20-171.2), and Part 11 (G.S. 20-172 through 20-175); and Article 3A (G.S. 20-183.2 through 20-183.8G).