



HOUSE BILL 138: Failure to Yield to Blind Pedestrians/Penalty.

2023-2024 General Assembly

Committee:	House Judiciary 2. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	April 19, 2023
Introduced by:	Reps. Morey, Setzer, Shepard, Carney	Prepared by:	Susan Sitze
Analysis of:	PCS to First Edition H138-CSSA-6		Staff Attorney

OVERVIEW: *The Proposed Committee Substitute (PCS) for House Bill 138 would increase the penalty for failure to yield the right-of-way to a blind or partially blind pedestrian.*

CURRENT LAW:

G.S. 20-175.2 entitles blind or partially blind pedestrians using a guide dog or a white or white tipped with red cane to the right-of-way at crossings and intersections that are not regulated by a traffic officer or traffic-control signal, and requires all vehicles to stop until the pedestrian has fully crossed. Additionally, it requires vehicles at intersections regulated by a traffic-control signal to remain stopped if a signal changes and a blind or partially blind person is partly across the intersection until the person completes the crossing.

A violation of this statute is a Class 2 misdemeanor. Punishment for a Class 2 misdemeanor ranges from unsupervised probation to an active sentence of 60 days, depending on prior record level.

BILL ANALYSIS:

The PCS for House Bill 138 would increase the punishment for failure to yield the right-of-way to a blind or partially blind pedestrian to a Class 1 misdemeanor. Punishment for a Class 1 misdemeanor ranges from unsupervised probation to an active sentence of 120 days, depending on prior record level.

EFFECTIVE DATE: This act would become effective December 1, 2023, and apply to offenses committed on or after that date.

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