



CHAPTER 15A

ARTICLE 66 - PROCEDURE FOR HEARING AND DISPOSITION OF INFRACTIONS

N.C.G.S. § 15A-1113.

Prehearing procedure.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	1985 (Reg. Sess., 1986), c. 852, s. 12 — second act in the lineage	21 September 2026, 03:03 UTC	52d66dd0e478ab8cdc0beaaa - 85e9ddd71ee911e192307edf - c2f6a9441605cb9d

§ 15A-1113(a)

INFRACTION

Process. - A law enforcement officer may issue a citation for an infraction in accordance with the provisions of G.S. 15A-302. A judicial official may issue a summons for an infraction in accordance with the provisions of G.S. 15A-303.

§ 15A-1113(b)

INFRACTION

Detention of Person Charged. - A law enforcement officer who has probable cause to believe a person has committed an infraction may detain the person for a reasonable period in order to issue and serve him a citation.

§ 15A-1113(c)

INFRACTION

Appearance Bond May Be Required. - A person charged with an infraction may not be required to post an appearance bond if:

- (1) He is licensed to drive by a state that subscribes to the nonresident violator compact as defined in Article 1B of Chapter 20 of the General Statutes, the infraction charged is subject to the provisions of that compact, and he executes a personal recognizance as defined by that compact.
- (2) He is a resident of North Carolina.

Any other person charged with an infraction may be required to post a bond to secure his appearance and a charging officer may require such a person charged to accompany him to a judicial official's office to allow the official to determine if a bond is necessary to secure the person's court appearance, and if so, what kind of bond is to be used. If the judicial official finds that the person is unable to post a secured bond, he must allow the person to be released on execution of an unsecured bond. The provisions of Article 26 of this Chapter relating to issuance and forfeiture of bail bonds are applicable to bonds required pursuant to this subsection.

§ 15A-1113(d)
INFRACTION

Territorial Jurisdiction. - A law enforcement officer's territorial jurisdiction to charge a person with an infraction is the same as his jurisdiction to arrest specified in G.S. 15A-402.

§ 15A-1113(e)
INFRACTION

Use of Same Process for Two Offenses. - A person may be charged with a criminal offense and an infraction in the same pleading.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
2 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

1985			1986
TICK HEIGHT = ACTS IN THAT YEAR		DASHED = RECODIFICATION, NOT AMENDMENT	
Nº	YEAR	ACT	CHARACTER
01	1985	c. 764, s. 3	ENACTED
02	1985	1985 (Reg. Sess., 1986), c. 852, s. 12	AMENDED

APPARATUS II
3 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 15A-302	(a)	"in accordance with the provisions of"
G.S. 15A-303	(a)	"in accordance with the provisions of"
G.S. 15A-402	(d)	"his jurisdiction to arrest specified in"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 15A-1113 (1985).

PINPOINT

N.C. Gen. Stat. § 15A-1113(a) (1985).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1985, c. 764, s. 3; 1985 (Reg. Sess., 1986), c. 852, s. 12.)

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