



CHAPTER 15A
ARTICLE 17 - CRIMINAL PROCESS

N.C.G.S. § 15A-302.

Citation.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT S.L. 2022-47, s. 16(h) — eighth act in the lineage	RETRIEVED 21 September 2026, 04:50 UTC	SOURCE FINGERPRINT 0c8ef98d7ede39873911f7fa - 8241078e0f86a4b15d0b1d24 - 73f5916c9b4980d0
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§ 15A-302(a)

INFRACTION

Definition. - A citation is a directive, issued by a law enforcement officer or other person authorized by statute, that a person appear in court and answer a misdemeanor or infraction charge or charges.

§ 15A-302(b)

INFRACTION

When Issued. - An officer may issue a citation to any person who he has probable cause to believe has committed a misdemeanor or infraction.

§ 15A-302(c)

Contents. - The citation must:

- (1) Identify the crime charged, including the date, and where material, identify the property and other persons involved,
- (2) Contain the name and address of the person cited, or other identification if that cannot be ascertained,
- (3) Identify the officer issuing the citation, and
- (4) Cite the person to whom issued to appear in a designated court, at a designated time and date.

§ 15A-302(d)

Service. - A copy of the citation shall be delivered to the person cited. The original shall then be filed with the clerk by the officer. Failure of the person cited to accept delivery of the citation shall not constitute grounds for an arrest or the requirement that he or she post a bond. When a citation is issued for a parking offense, a copy shall be delivered to the operator of a vehicle who is present at the time of service, or shall be delivered to the registered owner of the vehicle if the operator is not present by affixing a copy of the citation to the vehicle in a conspicuous place.

§ 15A-302(e)

INFRACTION

Dismissal by Prosecutor. - If the prosecutor finds that no crime or infraction is charged in the citation, or that there is insufficient evidence to warrant prosecution, he may dismiss the charge and so notify the person cited. An appropriate entry must be made in the records of the clerk. It is not necessary to enter the dismissal in open court or to obtain consent of the judge.

§ 15A-302(f)

Citation No Bar to Criminal Summons or Warrant. - If the offense is a misdemeanor, a criminal summons or a warrant may issue notwithstanding the prior issuance of a citation for the same offense. If a defendant fails to appear in court as directed by a citation that charges the defendant with a misdemeanor, an order for arrest for failure to appear may be issued by a judicial official.

§ 15A-302(g)

Preparation of Form. - The form and content of the citation is as prescribed by the Administrative Officer of the Courts. The form of citation used for violation of the motor vehicle laws must contain a notice that the driving privilege of the person cited may be revoked for failure to appear as cited, and must be prepared as provided in G.S. 7A-148(b).

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
8 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.



Nº	YEAR	ACT	CHARACTER
01	1973	c. 1286, s. 1	ENACTED
02	1975	c. 166, ss. 3, 27	AMENDED
03	1983	c. 327, s. 4	AMENDED
04	1985	c. 385	AMENDED
05	1985	c. 764, s. 4	AMENDED
06	1989	c. 243, s. 1	AMENDED
07	2003	S.L. 2003-15, s. 1	AMENDED

APPARATUS II
1 AUTHORITY

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. 7A-148(b)	(g)	"must be prepared as provided in"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 15A-302 (2022).

PINPOINT

N.C. Gen. Stat. § 15A-302(a) (2022).

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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This is not the official text. The official text is published by the General Assembly of North Carolina.

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1973, c. 1286, s. 1; 1975, c. 166, ss. 3, 27; 1983, c. 327, s. 4; 1985, c. 385; c. 764, s. 4; 1989, c. 243, s. 1; 2003-15, s. 1; 2022-47, s. 16(h).)

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