



CHAPTER 20
ARTICLE 3 - MOTOR VEHICLE ACT OF 1937

N.C.G.S. § 20-140.4.

Special provisions for motorcycles and mopeds.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2022-6, s. 8.3(b) — eighth act in the lineage	21 September 2026, 05:37 UTC	a2e46787c77b75574d476090 - d6a7e65989668d45b03a025c - afccf1ce50f04b3f

- § 20-140.4(a)

No person shall operate a motorcycle or moped upon a highway or public vehicular area:

(1)

When the number of persons upon or within such motorcycle or moped, including the operator, shall exceed the number of persons which it was designed to carry.

(2)

Unless the operator and all passengers thereon wear on their heads, with a retention strap properly secured, safety helmets of a type that complies with Federal Motor Vehicle Safety Standard (FMVSS) 218. This subdivision shall not apply to an operator of, or any passengers within, an autocycle that has completely enclosed seating or is equipped with a roll bar or roll cage.
- § 20-140.4(b)

Violation of any provision of this section shall not be considered negligence per se or contributory negligence per se in any civil action.
- § 20-140.4(c)

INFRACTION

Any person convicted of violating this section shall have committed an infraction and shall pay a penalty of twenty-five dollars and fifty cents (\$25.50) plus the following court costs:

(1)

The General Court of Justice fee provided for in G.S. 7a-304(a)(4).

(2)

The fee provided for in G.S. 7a-304(a)(2a).

- (3) One dollar and fifty cents (\$1.50) to be remitted to the county wherein the infraction was issued, except in those cases in which the infraction was issued by a law enforcement officer employed by a municipality, the fee shall be paid to the municipality employing the officer.
- (4) One dollar and fifty cents (\$1.50) for the supplemental pension benefits of sheriffs to be remitted to the Department of Justice and administered under the provisions of Article 12H of Chapter 143 of the General Statutes.

Conviction of an infraction under this section has no other consequence.

§ 20-140.4(d)

No drivers license points or insurance surcharge shall be assessed on account of violation of this section.

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.

1973

1998

2022

TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT

Nº	YEAR	ACT	CHARACTER
01	1973	c. 1330, s. 6	ENACTED
02	1989	c. 711, s. 1	AMENDED
03	2007	S.L. 2007-360, s. 7	AMENDED
04	2009	S.L. 2009-451, s. 15.20(k)	AMENDED
05	2015	S.L. 2015-163, s. 11	AMENDED
06	2016	S.L. 2016-90, s. 12.5(b)	AMENDED
07	2019	S.L. 2019-227, s. 6(a)	AMENDED
08	2022	S.L. 2022-6, s. 8.3(b)	AMENDED

APPARATUS II
2 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. 7a-304(a)(4)	(c)(1)	"of justice fee provided for in"
G.S. 7a-304(a)(2a)	(c)(2)	"The fee provided for in"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 20-140.4 (2022).

PINPOINT

N.C. Gen. Stat. § 20-140.4(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. 1330, s. 6; 1989, c. 711, s. 1; 2007-360, s. 7; 2009-451, s. 15.20(k); 2015-163, s. 11; 2016-90, s. 12.5(b); 2019-227, s. 6(a); 2022-6, s. 8.3(b).)

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