



CHAPTER 20

ARTICLE 3 - MOTOR VEHICLE ACT OF 1937

N.C.G.S. § 20-141.4.

Felony and misdemeanor death by vehicle; felony serious injury by vehicle; aggravated offenses; repeat felony death by vehicle.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2012-165, s. 2, 3 — ninth act in the lineage	21 September 2026, 05:36 UTC	5e6e44de19936a46ce83dd9a - 43460bca673c112239f90b43 - 8369f0cc6c3803b2

§ 20-141.4(a) Repealed by Session Laws 1983, c. 435, s. 27.

§ 20-141.4(a1) Felony Death by Vehicle. - A person commits the offense of felony death by vehicle if:

- (1) The person unintentionally causes the death of another person,
- (2) The person was engaged in the offense of impaired driving under G.S. 20-138.1 or G.S. 20-138.2, and
- (3) The commission of the offense in subdivision (2) of this subsection is the proximate cause of the death.

§ 20-141.4(a2) Misdemeanor Death by Vehicle. - A person commits the offense of misdemeanor death by vehicle if:

- (1) The person unintentionally causes the death of another person,
- (2) The person was engaged in the violation of any State law or local ordinance applying to the operation or use of a vehicle or to the regulation of traffic, other than impaired driving under G.S. 20-138.1, and
- (3) The commission of the offense in subdivision (2) of this subsection is the proximate cause of the death.

§ 20-141.4(a3)

Felony Serious Injury by Vehicle. - A person commits the offense of felony serious injury by vehicle if:

- (1) The person unintentionally causes serious injury to another person,
- (2) The person was engaged in the offense of impaired driving under G.S. 20-138.1 or G.S. 20-138.2, and
- (3) The commission of the offense in subdivision (2) of this subsection is the proximate cause of the serious injury.

§ 20-141.4(a4)

Aggravated Felony Serious Injury by Vehicle. - A person commits the offense of aggravated felony serious injury by vehicle if:

- (1) The person unintentionally causes serious injury to another person,
- (2) The person was engaged in the offense of impaired driving under G.S. 20-138.1 or G.S. 20-138.2,
- (3) The commission of the offense in subdivision (2) of this subsection is the proximate cause of the serious injury, and
- (4) The person has a previous conviction involving impaired driving, as defined in G.S. 20-4.01(24a), within seven years of the date of the offense.

§ 20-141.4(a5)

Aggravated Felony Death by Vehicle. - A person commits the offense of aggravated felony death by vehicle if:

- (1) The person unintentionally causes the death of another person,
- (2) The person was engaged in the offense of impaired driving under G.S. 20-138.1 or G.S. 20-138.2,
- (3) The commission of the offense in subdivision (2) of this subsection is the proximate cause of the death, and
- (4) The person has a previous conviction involving impaired driving, as defined in G.S. 20-4.01(24a), within seven years of the date of the offense.

§ 20-141.4(a6)

Repeat Felony Death by Vehicle Offender. - A person commits the offense of repeat felony death by vehicle if:

- (1) The person commits an offense under subsection (a1) or subsection (a5) of this section; and
- (2) The person has a previous conviction under:

- a.Subsection (a1) of this section;
- b.Subsection (a5) of this section; or
- c.G.S. 14-17 or G.S. 14-18, and the basis of the conviction was the unintentional death of another person while engaged in the offense of impaired driving under G.S. 20-138.1 or G.S. 20-138.2.

The pleading and proof of previous convictions shall be in accordance with the provisions of G.S. 15A-928.

§ 20-141.4(b)

CLASS B2 / D / E / F /
A1 FELONY

Punishments. - Unless the conduct is covered under some other provision of law providing greater punishment, the following classifications apply to the offenses set forth in this section:

- (1) Repeat felony death by vehicle is a Class B2 felony.
- (1a) Aggravated felony death by vehicle is a Class D felony. Notwithstanding the provisions of G.S. 15A-1340.17, the court shall sentence the defendant in the aggravated range of the appropriate Prior Record Level.
- (2) Felony death by vehicle is a Class D felony. Notwithstanding the provisions of G.S. 15A-1340.17, intermediate punishment is authorized for a defendant who is a Prior Record Level I offender.
- (3) Aggravated felony serious injury by vehicle is a Class E felony.
- (4) Felony serious injury by vehicle is a Class F felony.
- (5) Misdemeanor death by vehicle is a Class A1 misdemeanor.

§ 20-141.4(c)

No Double Prosecutions. - No person who has been placed in jeopardy upon a charge of death by vehicle may be prosecuted for the offense of manslaughter arising out of the same death; and no person who has been placed in jeopardy upon a charge of manslaughter may be prosecuted for death by vehicle arising out of the same death.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
9 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		1993						2012
	TICK HEIGHT = ACTS IN THAT YEAR				DASHED = RECODIFICATION, NOT AMENDMENT				
Nº	YEAR	ACT						CHARACTER	
01	1973	c. 1330, s. 9						ENACTED	
02	1983	c. 435, s. 27						AMENDED	
03	1993	c. 285, s. 10						AMENDED	
04	1993	c. 539, ss. 371, 1259						AMENDED	
05	1994	Ex. Sess., c. 24, s. 14(c)						AMENDED	
06	2006	S.L. 2006-253, s. 14						AMENDED	
07	2007	S.L. 2007-493, s. 15						AMENDED	
08	2009	S.L. 2009-528, s. 1						AMENDED	
09	2012	S.L. 2012-165, s. 2, 3						AMENDED	

APPARATUS II

7 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. 20-138.1	(a1)(2)	"the offense of impaired driving under"
G.S. 20-138.2	(a1)(2)	"impaired driving under G.S. 20-138.1 or"
G.S. 20-4.01(24a)	(a4)(4)	"involving impaired driving, as defined in"
G.S. 14-17	(a6)	"c."
G.S. 14-18	(a6)	"c. G.S. 14-17 or"
G.S. 15A-928	(a6)	"in accordance with the provisions of"
G.S. 15A-1340.17	(b)(1a)	"D felony. Notwithstanding the provisions of"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 20-141.4 (2012).

PINPOINT

N.C. Gen. Stat. § 20-141.4(a) (2012).

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

(1973, c. 1330, s. 9; 1983, c. 435, s. 27; 1993, c. 285, s. 10; c. 539, ss. 371, 1259; 1994, Ex. Sess., c. 24, s. 14(c); 2006-253, s. 14; 2007-493, s. 15; 2009-528, s. 1; 2012-165, s. 2, 3.)

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