



CHAPTER 75A

ARTICLE 1 - BOATING SAFETY ACT

N.C.G.S. § 75A-10.3.

Death or serious injury by impaired boating; repeat offenses.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	No amendment history on record	21 September 2026, 07:05 UTC	8f64c86b00972c94b9c890a8 - 0dc45dfe2dbac423be611383 - 8ec82952e940de22

§ 75A-10.3(a) Death by Impaired Boating. - A person commits the offense of death by impaired boating if all of the following apply:

- (1) The person unintentionally causes the death of another person.
- (2) The person was engaged in the offense of impaired boating under G.S. 75A-10(b1).
- (3) The commission of the offense in subdivision (2) of this subsection is the proximate cause of the death.

§ 75A-10.3(b) Serious Injury by Impaired Boating. - A person commits the offense of serious injury by impaired boating if all of the following apply:

- (1) The person unintentionally causes serious injury to another person.
- (2) The person was engaged in the offense of impaired boating under G.S. 75A-10(b1).
- (3) The commission of the offense in subdivision (2) of this subsection is the proximate cause of the serious injury.

§ 75A-10.3(c) Aggravated Serious Injury by Impaired Boating. - A person commits the offense of aggravated serious injury by impaired boating if all of the following apply:

- (1) The person unintentionally causes serious injury to another person.

- (2) The person was engaged in the offense of impaired boating under G.S. 75A-10(b1).
- (3) The commission of the offense in subdivision (2) of this subsection is the proximate cause of the serious injury.
- (4) The person has a previous conviction of impaired boating under G.S. 75A-10(b1) within seven years of the date of the offense.

§ 75A-10.3(d)

Aggravated Death by Impaired Boating. - A person commits the offense of aggravated death by impaired boating if all of the following apply:

- (1) The person unintentionally causes the death of another person.
- (2) The person was engaged in the offense of impaired boating under G.S. 75A-10(b1).
- (3) The commission of the offense in subdivision (2) of this subsection is the proximate cause of the death.
- (4) The person has a previous conviction of impaired boating under G.S. 75A-10(b1) within seven years of the date of the offense.

§ 75A-10.3(e)

Repeat Death by Impaired Boating. - A person commits the offense of repeat death by impaired boating if all of the following apply:

- (1) The person commits an offense under subsection (a) or subsection (d) of this section.
- (2) The person has a previous conviction under at least one of the following:

a.Subsection (a) of this section.

b.Subsection (d) of this section.

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 boating under G.S. 75A-10(b1).

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

§ 75A-10.3(f)

CLASS B2 / D / E / F
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 death by impaired boating is a Class B2 felony.
- (2) Aggravated death by impaired boating 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.
- (3) Death by impaired boating 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.
- (4) Aggravated serious injury by impaired boating is a Class E felony.
- (5) Serious injury by impaired boating is a Class F felony.

§ 75A-10.3(g)

No Double Prosecutions. - No person who has been placed in jeopardy upon a charge of death by impaired boating 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 impaired boating arising out of the same death. (2016-34, s. 2.)

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS II
5 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. 75A-10(b1)	(a)(2)	"the offense of impaired boating under"
G.S. 14-17	(e)	"c."
G.S. 14-18	(e)	"c. G.S. 14-17 or"
G.S. 15A-928	(e)	"in accordance with the provisions of"
G.S. 15A-1340.17	(f)(2)	"D felony. Notwithstanding the provisions of"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 75A-10.3 (2026).

PINPOINT

N.C. Gen. Stat. § 75A-10.3(a) (2026).

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

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