

GENERAL ASSEMBLY OF NORTH CAROLINA
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40057-NE-5C

Short Title: Liam's Law.

(Public)

Sponsors: Representative Torbett.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO INCREASE THE PENALTIES FOR RECKLESS DRIVING OR STREET
3 RACING THAT CAUSES SERIOUS INJURY OR DEATH AND TO INCREASE THE
4 PENALTIES FOR HIT AND RUN OFFENSES THAT RESULT IN DEATH.

5 The General Assembly of North Carolina enacts:

6
7 **PART I. INCREASE THE PENALTIES FOR RECKLESS DRIVING OR STREET**
8 **RACING THAT CAUSES SERIOUS INJURY OR DEATH**

9 SECTION 1. G.S. 20-140 reads as rewritten:

10 "§ 20-140. Reckless driving.

11 ...

12 (g) Any person who violates this section is guilty of a Class 1 misdemeanor if the reckless
13 driving causes serious injury.

14 (h) Any person who violates this section is guilty of a Class I felony if the reckless driving
15 causes serious bodily injury as defined in G.S. 14-32.4."

16
17 **PART II. INCREASE THE PENALTIES FOR HIT AND RUN OFFENSES THAT**
18 **RESULT IN DEATH**

19 SECTION 2.(a) G.S. 20-17(a)(4) is repealed.

20 SECTION 2.(b) G.S. 20-141.3 reads as rewritten:

21 "§ 20-141.3. Unlawful racing on streets and highways.

22 ...

23 (c) It shall be unlawful for any person to authorize or knowingly permit a motor vehicle
24 owned by him or under ~~his~~ the person's control to be operated on a public street, highway, or
25 thoroughfare in prearranged speed competition with another motor vehicle, or to place or receive
26 any bet, wager, or other thing of value from the outcome of any prearranged speed competition
27 on any public street, highway, or thoroughfare. Any person violating the provisions of this
28 subsection shall be guilty of a Class 1 misdemeanor.

29 (c1) Any person who violates subsection (a), (b), or (c) of this section is guilty of a Class
30 F felony if the speed competition causes serious injury.

31 (c2) Any person who violates subsection (a), (b), or (c) of this section is guilty of a Class
32 B2 felony if the speed competition causes a death.

33 (d) The Commissioner of Motor Vehicles ~~shall revoke~~ shall:

34 (1) Revoke the driver's license or privilege to drive of every person convicted of
35 violating the provisions of subsection (a) or subsection (c) of this ~~section, said~~
36 ~~revocation to be~~ section for three years; ~~provided any years.~~ Any person whose



license has been revoked under this section may apply for a new license after 18 months from revocation. ~~Upon filing of such application the Division may issue a new license upon satisfactory proof that the former licensee has been of good behavior for the past 18 months and that his conduct and attitude are such as to entitle him to favorable consideration and upon such terms and conditions which the Division may see fit to impose for the balance of the three-year revocation period, which period shall be computed from the date of the original revocation.~~

(2) Revoke the driver's license or privilege to drive of every person convicted of violating subsection (c1) of this section for four years. Any person whose license has been revoked under this subsection may apply for a new license after three years from revocation.

(3) Revoke the driver's license or privilege to drive of every person convicted of violating subsection (c2) of this section permanently. Any person whose license has been revoked under this subsection may apply for a new license after seven years from revocation.

(d1) Upon filing of an application for a new license pursuant to subsection (d) of this section, the Division may issue a new license upon satisfactory proof that the former licensee has been of good behavior during the revocation period and that the applicant's conduct and attitude entitle the applicant to favorable consideration. The Division may impose terms and conditions upon the new license for the balance of the revocation period. When the revocation period is permanent, the restrictions and conditions imposed by the Division may not exceed three years.

...
(g) The following provisions apply to this section:

...
(3) Upon conviction of the operator of said motor vehicle of a violation of subsection (a) of this section or in violation of G.S. 20-141.10, the court shall order a sale at public auction of said motor vehicle and the officer making the sale, after deducting the expenses of keeping the motor vehicle, the fee for the seizure, and the costs of the sale, shall pay all liens, according to their priorities, which are established, by intervention or otherwise, at said hearing or in other proceeding brought for said purpose, as being bona fide, and shall pay the balance of the proceeds to the proper officer of the county who receives fines and forfeitures to be used for the school fund of the county. All liens against a motor vehicle sold under the provisions of this section shall be transferred from the motor vehicle to the proceeds of its sale. If, at the time of hearing, or other proceeding in which the matter is considered, the owner of the vehicle can establish to the satisfaction of the court that said motor vehicle was used in a prearranged speed competition with another motor vehicle on a street or highway or in a street takeover without the knowledge or consent of the owner, and that the owner had no reasonable grounds to believe that the motor vehicle would be used for such purpose, the court shall not order a sale of the vehicle but shall restore it to the owner, and the said owner shall, ~~at his~~ upon request, be entitled to a trial by jury upon such issues.

...."
SECTION 2.(c) G.S. 20-166 reads as rewritten:

"§ 20-166. Duty to stop in event of a crash; furnishing information or assistance to injured person, etc.; persons assisting exempt from civil liability.

- (a) The driver of any vehicle who knows or reasonably should know:
(1) That the vehicle which he or she is operating is involved in a crash; and

1 (2) That the crash has resulted in serious bodily injury, as defined in G.S. 14-32.4,
2 or death to any person;
3 shall immediately stop ~~his or her~~ the driver's vehicle at the scene of the crash. The driver shall
4 remain with the vehicle at the scene of the crash until a law-enforcement officer completes the
5 investigation of the crash or authorizes the driver to leave and the vehicle to be removed, unless
6 remaining at the scene places the driver or others at significant risk of injury.

7 Prior to the completion of the investigation of the crash by a law enforcement officer, or the
8 consent of the officer to leave, the driver may not facilitate, allow, or agree to the removal of the
9 vehicle from the scene for any purpose other than to call for a law enforcement officer, to call
10 for medical assistance or medical treatment as set forth in subsection (b) of this section, or to
11 remove oneself or others from significant risk of injury. If the driver does leave for a reason
12 permitted by this subsection, then the driver must return with the vehicle to the accident scene
13 within a reasonable period of time, unless otherwise instructed by a law enforcement officer. ~~A~~
14 ~~willful violation of this subsection shall be punished as a Class F felony.~~ A willful violation of
15 this subsection is punishable as follows:

16 (1) Any person convicted of a violation of this subsection is guilty of a Class F
17 felony unless the crash results in the death of another person.

18 (2) Any person convicted of a violation of this subsection is guilty of a Class D
19 felony if the crash results in the death of another person.

20 (a1) The driver of any vehicle who knows or reasonably should know:

21 (1) That the vehicle which he or she is operating is involved in a crash; and

22 (2) That the crash has resulted in injury;

23 shall immediately stop ~~his or her~~ the driver's vehicle at the scene of the crash. The driver shall
24 remain with the vehicle at the scene of the crash until a law enforcement officer completes the
25 investigation of the crash or authorizes the driver to leave and the vehicle to be removed, unless
26 remaining at the scene places the driver or others at significant risk of injury.

27 Prior to the completion of the investigation of the crash by a law enforcement officer, or the
28 consent of the officer to leave, the driver may not facilitate, allow, or agree to the removal of the
29 vehicle from the scene for any purpose other than to call for a law enforcement officer, to call
30 for medical assistance or medical treatment as set forth in subsection (b) of this section, or to
31 remove oneself or others from significant risk of injury. If the driver does leave for a reason
32 permitted by this subsection, then the driver must return with the vehicle to the crash scene within
33 a reasonable period of time, unless otherwise instructed by a law enforcement officer. A willful
34 violation of this subsection shall be punished as a Class H felony.

35 (b) ~~In addition to complying with the requirements of subsections (a) and (a1) of this~~
36 ~~section, the driver as set forth in subsections (a) and (a1)~~ Any driver required to stop at the scene
37 of a crash pursuant to subsection (a) or (a1) of this section shall give his or her additionally
38 provide the following information to the person struck and the driver or occupants of any vehicle
39 collided with, unless those individuals are physically or mentally incapable of receiving
40 information: (i) the driver's name, address, driver's license number and (ii) the license plate
41 number of the vehicle to the person struck or the driver or occupants of any vehicle collided with,
42 provided that the person or persons are physically and mentally capable of receiving such
43 information, and shall driver's vehicle. The driver shall also render reasonable assistance to any
44 person injured in such crash reasonable assistance, including the injured person. Reasonable
45 assistance includes calling for medical assistance if it is apparent that such assistance is necessary
46 or is requested by the injured person. A violation of this subsection is a Class 1 misdemeanor.

47 (c) The driver of any vehicle, when the driver knows or reasonably should know that the
48 vehicle which the driver is operating is involved in a crash which results:

49 (1) Only in damage to property; or

50 (2) In injury or death to any person, but only if the operator of the vehicle did not
51 know and did not have reason to know of the death or injury;

1 shall immediately stop the vehicle at the scene of the crash. If the crash is a reportable crash, the
2 driver shall remain with the vehicle at the scene of the crash until a law enforcement officer
3 completes the investigation of the crash or authorizes the driver to leave and the vehicle to be
4 removed, unless remaining at the scene places the driver or others at significant risk of injury.

5 Prior to the completion of the investigation of the crash by a law enforcement officer, or the
6 consent of the officer to leave, the driver may not facilitate, allow, or agree to the removal of the
7 vehicle from the scene, for any purpose other than to call for a law enforcement officer, to call
8 for medical assistance or medical treatment, or to remove oneself or others from significant risk
9 of injury. If the driver does leave for a reason permitted by this subsection, then the driver must
10 return with the vehicle to the accident scene within a reasonable period of time, unless otherwise
11 instructed by a law enforcement officer. A willful violation of this subsection is a Class 1
12 misdemeanor.

13 ~~(c1) In addition to complying with the requirement of subsection (c) of this section, the~~
14 ~~driver as set forth in subsection (c) -~~ Any driver required to stop at the scene of a crash pursuant
15 to subsection (c) of this section shall give his or her additionally provide the following
16 information to the driver or occupants of any other vehicle involved in the crash or to any person
17 whose property is damaged in the crash: (i) the driver's name, address, driver's license number
18 and (ii) the license plate number of his vehicle to the driver or occupants of any other vehicle
19 involved in the crash or to any person whose property is damaged in the crash. the driver's
20 vehicle. If the damaged property is a parked and unattended vehicle and the name and location
21 of the owner is not known to or readily ascertainable by the driver of the responsible vehicle, the
22 driver shall furnish the information required by this subsection to the nearest available peace
23 officer, or, in the alternative, and provided the driver thereafter within 48 hours fully complies
24 with G.S. 20-166.1(c), shall immediately place a paper-writing containing the information in a
25 conspicuous place upon or in the damaged vehicle. If the damaged property is a guardrail, utility
26 pole, or other fixed object owned by the Department of Transportation, a public utility, or other
27 public service corporation to which report cannot readily be made at the scene, it shall be
28 sufficient if the responsible driver shall furnish the information required to the nearest peace
29 officer or make written report thereof containing the information by U.S. certified mail, return
30 receipt requested, to the North Carolina Division of Motor Vehicles within five days following
31 the collision. A violation of this subsection is a Class 1 misdemeanor.

32 ...

33 (e) The Division of Motor Vehicles ~~shall revoke~~ shall:

- 34 (1) Revoke the drivers license of a person convicted of violating subsection (a) of
35 this section for a period of four years unless the crash results in the death of
36 another person. Any person whose license has been revoked under this
37 subdivision may apply for a new license after three years from revocation.
- 38 (2) Revoke the drivers license of a person convicted of violating subsection (a) of
39 this section permanently if the crash results in the death of another person.
40 Any person whose license has been revoked under this subdivision may apply
41 for a new license after seven years from revocation.
- 42 (3) Revoke the drivers license of a person convicted of violating subsection (a) or
43 (a1) or (b) of this section for a period of one year, unless the court makes a
44 finding that a longer period of revocation is appropriate under the
45 circumstances of the case. If the court makes this finding, the Division of
46 Motor Vehicles shall revoke that person's drivers license for two years. Upon
47 a first conviction only for a violation of subsection (a1) or (b) of this section,
48 a trial judge may allow limited driving privileges in the manner set forth in
49 G.S. 20-179.3(b)(2) during any period of time during which the drivers license
50 is revoked. Any person whose license has been revoked under this subdivision
51 may apply for a new license after a year from revocation.

1 (e1) Upon filing of an application for a new license pursuant to subsection (e) of this
2 section, the Division may issue a new license upon satisfactory proof that the former licensee has
3 been of good behavior during the revocation period and that the applicant's conduct and attitude
4 entitle the applicant to favorable consideration. The Division may impose terms and conditions
5 upon the new license for the balance of the revocation period. When the revocation period is
6 permanent, the restrictions and conditions imposed by the Division may not exceed three years."

7 **SECTION 2.(d)** G.S. 20-179.3(b)(2) reads as rewritten:

8 "(2) Any person whose licensing privileges are forfeited pursuant to
9 ~~G.S. 15A-1331.1~~ G.S. 15A-1331.1, 20-166(a1), or 20-166(b) is eligible for a
10 limited driving privilege if the court finds that at the time of the forfeiture, the
11 person held either a valid drivers license or a drivers license that had been
12 expired for less than one year and either of the following requirements is met:
13 "

14
15 **PART III. EFFECTIVE DATE**

16 **SECTION 3.** This act becomes effective December 1, 2025, and applies to offenses
17 committed on or after that date.