

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007

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HOUSE BILL 1562  
Committee Substitute Favorable 5/17/07

Short Title: Unattended Children in Vehicles.

(Public)

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Sponsors:

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Referred to:

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April 18, 2007

1 A BILL TO BE ENTITLED  
2 AN ACT TO MAKE LEAVING AN UNATTENDED CHILD IN A MOTOR  
3 VEHICLE UNLAWFUL.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. Article 39 of Chapter 14 of the General Statutes is amended by  
6 adding a new section to read:

7 "**§ 14-318.5. Unlawful to leave an unattended child in a motor vehicle.**

8 (a) It is unlawful for any parent, legal guardian, or other person responsible for a  
9 child who is eight years of age or younger, to leave that child in a motor vehicle on any  
10 public street or in any public vehicular area without the child being supervised in the  
11 motor vehicle by a person who is at least 14 years of age if: (i) the conditions within or  
12 in the immediate vicinity of the motor vehicle would cause a reasonable person to  
13 believe that the conditions may present a risk to the child's health or safety or (ii) the  
14 engine of the motor vehicle is running, or the keys to the motor vehicle are anywhere in  
15 the passenger compartment of the vehicle. For purposes of this section, the terms "motor  
16 vehicle" "street" and "public vehicular area" shall have the same meaning as provided in  
17 G.S. 20-4.01.

18 (b) Any person who violates any provision of this section shall be punished as  
19 follows:

20 (1) A person shall be issued a warning citation for a first offense.

21 (2) A person shall be guilty of a Class 2 misdemeanor for a second or  
22 subsequent offense.

23 (c) Notwithstanding subsection (b) of this section, the court may, in its  
24 discretion, in lieu of imposing any other penalty, require any person convicted of a  
25 violation of this section to attend and satisfactorily complete a community education  
26 program that includes instruction on the dangers of leaving young children unattended  
27 in motor vehicles. Persons required to attend and complete a prescribed community  
28 education program shall, upon completion, provide to the court satisfactory written  
29 evidence of satisfactory completion.

1       (d) Nothing in this section precludes prosecution under any other applicable  
2 provision of law."

3               **SECTION 2.** By December 1, 2007, the Administrative Office of the Courts  
4 shall compile a list of community education programs throughout the State that satisfy  
5 the requirements of G.S. 14-318.5(c), as enacted by this act, and shall make that list  
6 available to the chief district judge of each judicial district.

7               **SECTION 3.** This act becomes effective December 1, 2007, and applies to  
8 offenses committed on or after that date.