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

(a) It shall be unlawful for any person to operate a motor vehicle on a street or highway willfully in prearranged speed competition with another motor vehicle. Any person violating the provisions of this subsection shall be guilty of a Class 1 misdemeanor.

(b) It shall be unlawful for any person to operate a motor vehicle on a street or highway willfully in speed competition with another motor vehicle. Any person willfully violating the provisions of this subsection shall be guilty of a Class 2 misdemeanor.

(c) It shall be unlawful for any person to authorize or knowingly permit a motor vehicle owned by the person or under the person's control to be operated on a public street, highway, or thoroughfare in prearranged speed competition with another motor vehicle. Any person violating the provisions of this subsection is guilty of a Class 1 misdemeanor.

(c1) It shall be unlawful for any person to place or receive any bet, wager, or other thing of value from the outcome of any prearranged speed competition on any public street, highway, or thoroughfare. Any person who violates this subsection is guilty of a Class 1 misdemeanor.

(c2) Any person who violates subsection (a), (b), or (c) of this section is guilty of a Class H felony if the speed competition causes serious injury.

(c3) Any person who violates subsection (a), (b), or (c) of this section is guilty of a Class G felony if the speed competition causes serious bodily injury or death.

(d) The Commissioner of Motor Vehicles shall revoke the driver's license or privilege to drive of every person convicted of violating subsection (a) or subsection (c) of this section as follows:

(1) If the violation is punishable under subsection (c2) of this section, for four years. Any person whose license has been revoked under this subdivision may apply for a new license after three years from revocation.

(2) If the violation is punishable under subsection (c3) of this section, permanently. Any person whose license has been revoked under this subdivision may apply for a new license after seven years from revocation.

(3) For any other violation, three years. Any person whose license has been revoked under this subdivision may apply for a new license after 18 months from revocation.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.

(e) The Commissioner may suspend the driver's license or privilege to drive of every person convicted of violating the provisions of subsection (b) of this section. Such suspension shall be for a period of time within the discretion of the Commissioner, but not to exceed one year.

(f) All suspensions and revocations made pursuant to the provisions of this section shall be in the same form and manner and shall be subject to all procedures as now provided for suspensions and revocations made under the provisions of Article 2 of Chapter 20 of the General Statutes.

(g) The following provisions apply to this section:

(1) When any officer of the law discovers that any person has operated or is operating a motor vehicle willfully in violation of subsection (a) of this section, the officer shall seize the motor vehicle. When any officer of the law discovers that any person has operated or is operating a motor vehicle in violation of G.S. 20-141.10, the officer may seize the vehicle. Any vehicle seized pursuant to this subsection shall be delivered to the sheriff of the county

in which such offense is committed, or the same shall be placed under said sheriff's constructive possession if delivery of actual possession is impractical, and the vehicle shall be held by the sheriff pending the trial of the person or persons arrested for operating such motor vehicle in violation of subsection (a) of this section or in violation of G.S. 20-141.10. The sheriff shall restore the seized motor vehicle to the owner upon execution by the owner of a good and valid bond, with sufficient sureties, in an amount double the value of the property, which bond shall be approved by said sheriff and shall be conditioned on the return of the motor vehicle to the custody of the sheriff on the day of trial of the person or persons accused. Upon the acquittal of the person charged under subsection (a) of this section or G.S. 20-141.10, the sheriff shall return the motor vehicle to the owner thereof.

(2) Notwithstanding the provisions for sale set out above, on petition by a lienholder, the court, in its discretion and upon such terms and conditions as it may prescribe, may allow reclamation of the vehicle by the lienholder. The lienholder shall file with the court an accounting of the proceeds of any subsequent sale of the vehicle and pay into the court any proceeds received in excess of the amount of the lien.

(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, upon request, be entitled to a trial by jury upon such issues.

(4) If the owner of said motor vehicle cannot be found, the taking of the same, with a description thereof, shall be advertised in some newspaper published in the city or county where taken, or, if there be no newspaper published in such city or county, in a newspaper having circulation in the county, once a week for two weeks and by handbills posted in three public places near the place of seizure, and if said owner shall not appear within 10 days after the last publication of the advertisement, the property shall be sold, or otherwise disposed of in the manner set forth in this section.

(5) When any vehicle confiscated for a violation of subsection (a) of this section is found to be specially equipped or modified from its original manufactured condition so as to increase its speed, the court shall, prior to sale, order that the special equipment or modification be removed and destroyed and the vehicle restored to its original manufactured condition. However, if the court should

find that such equipment and modifications are so extensive that it would be impractical to restore said vehicle to its original manufactured condition, then the court may order that the vehicle be turned over to such governmental agency or public official within the territorial jurisdiction of the court as the court shall see fit, to be used in the performance of official duties only, and not for resale, transfer, or disposition other than as junk: Provided, that nothing herein contained shall affect the rights of lienholders and other claimants to said vehicles as set out in this section. (1955, c. 1156; 1957, c. 1358; 1961, c. 354; 1963, c. 318; 1967, c. 446; 1969, c. 186, s. 3; 1973, c. 1330, s. 8; 1975, c. 716, s. 5; 1979, c. 667, s. 31; 1993, c. 539, ss. 368-370; 1994, Ex. Sess., c. 24, s. 14(c); 1995, c. 163, ss. 8, 9; 2023-97, s. 2(b); 2023-114, s. 8(a); 2025-71, s. 7(b).)