

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

**SESSION LAW 2009-147
HOUSE BILL 440**

AN ACT TO PROVIDE FOR THE USE OF AUTOMATED CAMERA OR VIDEO RECORDING SYSTEMS TO DETECT AND PROSECUTE INDIVIDUALS WHO PASS STOPPED SCHOOL BUSES, AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE, AND TO INCREASE THE PENALTY FOR STRIKING AND CAUSING THE DEATH OF A PERSON WHEN PASSING A STOPPED SCHOOL BUS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-217(g) reads as rewritten:

"(g) Any person who willfully violates subsection (a) of this section and strikes any person shall be guilty of a Class I felony. Any person who willfully violates subsection (a) of this section and strikes any person, resulting in the death of that person, shall be guilty of a Class H felony."

SECTION 2. G.S. 20-217 is amended by adding a new subsection to read:

"(h) Automated camera and video recording systems may be used to detect and prosecute violations of this section. Any photograph or video recorded by a camera or video recording system shall, if consistent with the North Carolina Rules of Evidence, be admissible as evidence in any proceeding alleging a violation of subsection (a) of this section."

SECTION 3. This act becomes effective December 1, 2009, and applies to offenses committed on or after that date.

In the General Assembly read three times and ratified this the 11th day of June, 2009.

s/ Marc Basnight
President Pro Tempore of the Senate

s/ Joe Hackney
Speaker of the House of Representatives

s/ Beverly E. Perdue
Governor

Approved 5:30 p.m. this 22nd day of June, 2009

