

VIOLATIONS CONSTITUTING BOTH MOVING VIOALTIONS AND MOTOR VEHICLE OFFENSES

Applied To Hearings Under G.S. 20-28, G.S. 20-28.1, And G.S. 20-19(d), (e), And (i)

<u>Offense</u>	<u>Statute</u>
Aiding & Abetting DWI	G.S. 20-138.1
Aiding & Abetting Operator License Violation.....	G.S. 20-7
Allow Unlicensed Minor To Drive	G.S. 20-32
Allowing Unlicensed Person To Drive	G.S. 20-34
Brake Light Violation	G.S. 20-129
Covering/Altering/Disguising Registration Plate	G.S. 20-63(g)
Death by Vehicle.....	G.S. 20-141.4
Designated Lane Violation	G.S. 20-146(d)
Drive Over Fire Equipment	G.S. 20-157(d)
Drive Through Safety Zone Or On Sidewalk	G.S. 20-160
Drive Below Posted Minimum Speed.....	G.S. 20-141(c)
Drive Left of Center.....	G.S. 20-146(a)
Drive On Closed/Unopened Highway	G.S. 136-26
Drive While Disqualified.....	G.S. 20-28(d)
Driving While Impaired.....	G.S. 20-138.1
Driving While Impaired/Commercial Vehicle.....	G.S. 20-138.2(a)
Driving While License Revoked.....	G.S. 20-28(a)
Driving With Foreign License While NC License Revoked	G.S. 20-21
Driving Wrong Side of Road, Dual Lane Highway.....	G.S. 20-146(c)
Driving Wrong Way/One Way Street.....	G.S. 20-165.1
Exceeding Safe Speed.....	G.S. 20-141(a)
Expired/No Registration	G.S. 20-111(1)
<ul style="list-style-type: none"> • Unless the person was only the owner, not the driver. Then would only be a motor Vehicle offense. 	
Failure To Allow Vehicle To Be Weighed.....	G.S. 20-118.1
Failure To Burn Headlights	G.S. 20-129(a)
Failure To Dim Headlights	G.S. 20-181
<ul style="list-style-type: none"> • But see G.S. 20-18. 	
Failure To Comply With License Restrictions	G.S. 20-7(e)
Failure to Comply With Restrictions/Limited Privilege.....	G.S. 20-16.1(b1)
Failure To Heed Light Or Siren	G.S. 20-157(a)
Failure To Obey Railroad Signal	G.S. 20-142.1
Failure To Obey Traffic Officer	G.S. 20-114.1
Failure To Produce License	G.S. 20-29
<ul style="list-style-type: none"> • If issued to the driver. If the person was only ‘in charge’ of the vehicle, then maybe Is only a motor vehicle offense. 	
Failure To Reduce Speed	G.S. 20-141(m)
Failure To Reduce Speed When Being Overtaken	G.S. 20-149(b)

Failure To Report Accident/Hit And Run.....	G.S. 20-166
Failure To Signal Upon Starting, Stopping, Or Backing.....	G.S. 20-154
Failure To Stop For School Bus.....	G.S. 20-217
Failure To Stop/Yield For Vehicle Control Sign.....	G.S. 20-158
Failure To Yield/Left Turn.....	G.S. 20-155(b)
Failure To Yield Right Of Way.....	G.S. 20-155(a)
Failure To Yield Right Of Way To Pedestrian.....	G.S. 20-173
Fictitious/Altered/Canceled/Revoked Registration Tag.....	G.S. 20-111
• May only be a motor vehicle offense depending on facts.	
Flag Or Light At End Of Load Violation.....	G.S. 20-117
Following A Fire Truck.....	G.S. 20-157(b)
Following Too Closely.....	G.S. 20-152
Habitual Impaired Driving.....	G.S. 20-138.5
Hit And Run.....	G.S. 20-166
Horn And Warning Device Violation.....	G.S. 125(a)
Impaired Supervision/Instruction.....	G.S. 20-12.1
Impeding Traffic By Slow Speed.....	G.S. 20-141(h)
Improper Brakes.....	G.S. 20-124
Improper Equipment/Driving Without Two Headlights.....	G.S. 20-129(b)
Improper Equipment/Speedometer.....	G.S. 20-123.2
Improper Equipment/Tires.....	G.S. 20-122
Improper Equipment/Windshield Wipers.....	G.S. 20-127(a)
Improper Loading/Covering Of Vehicle.....	G.S. 20-116(g)
Improper Muffler/Emissions Control.....	G.S. 20-128
Improper Passing.....	G.S. 20-149(a)
Improper Towing.....	G.S. 20-123
Improper Turn.....	G.S. 20-153
Improper/Unsafe Passing.....	G.S. 20-150
Improper Use Of Dealer Plate.....	G.S. 20-79(e)
• If issued to driver. Is only a motor vehicle offense for dealer.	
Interstate Highway Violation.....	G.S. 20-140.3
Involuntary Manslaughter.....	G.S. 20-17(a)(1)
Learner's Permit Violation.....	G.S. 20-7
• Seatbelt?	
Leaving Vehicle Unattended/Unsecured.....	G.S. 20-163
• If the person was "in charge" but not "driving" under the statue, then a violation Should only be considered a motor vehicle offense, not a moving violation.	
License Not In Possession.....	G.S. 20-7(a)
Mirror Violation.....	G.S. 126
Motorcycle-Failure To Burn Headlights.....	G.S. 20-129(c)
Motorcycle/Moped Helmet Violation.....	G.S. 20-140.4(a)
No Child Restraint System.....	G.S. 20-137.1
No Commercial Driver's License/Not In Possession.....	G.S. 20-37.12(a)
No Driver's License.....	G.S. 20-7
No Motorcycle Endorsement.....	G.S. 20-7(a)1
No Operator's License.....	G.S. 20-7(a)

Obstructing Fire Operations.....	G.S. 20-157(c)
Open Container After Consuming	G.S. 20-138.7
Operate/No Current Inspection Sticker.....	G.S. 20-183.8(a)
Operating Commercial Vehicle After Consuming	G.S. 20-138.2A
Operating School Bus After Consuming	G.S. 20-138.2B
Operation Of Motor Vehicle/No Insurance	G.S. 20-313
Operation Of Vehicle Resembling Law Enforcement Vehicle.....	G.S. 20-137.2
Overloaded/Overcrowded Vehicle.....	G.S. 20-140.2
Overload/Oversize And/Or Length Vehicle	G.S. 20-116
Parking/Fire Hydrant, Fire Station, Intersection, Or Fire Lane	G.S. 20-162
• If the person “permitted it to stand” rather than parked vehicle, then violation should Only be considered a motor vehicle violations, or unless it was only a “vehicle” and Not a “motor vehicle,” then it would be neither.	
Permit Operation Of Vehicle/No Insurance.....	G.S. 20-313
Rear Lamp Violation/Improper Equipment	G.S. 20-129(d)
Reckless Driving.....	G.S. 20-140
Smoke Screen Violation	G.S. 20-136
• May only be motor vehicle offense.	
Speeding.....	G.S. 20-141
Speeding In School Bus	G.S. 20-218(b)
Speeding/School Zone	G.S. 20-141.1
Speeding/School Property.....	G.S. 20-141(e1)
Speeding/Work Zone	G.S. 20-141(j2)
Speeding To Elude Arrest.....	G.S. 20-141.5
Tandem/Semi-Trailer Violation.....	G.S. 20-115.1
Television In Vehicle.....	G.S. 20.136.1
Traffic Control Device Violation.....	G.S. 20-158(b) & (c)
Unlawful racing	G.S. 20-141.3
Unsafe Movement.....	G.S. 20-154
Unsafe Tires	G.S. 20-122.1
Voluntary Manslaughter	G.S. 20-17(a)(1)
White Light On Rear/Driving Forward.....	G.S. 20-130.3

VIOLATIONS CONSTITUING MOTOR VEHICLE BUT NOT MOVING OFFENSES

Applies To Hearings Under G.S. 20-19(d), (e) and (i)

<u>Offense</u>	<u>Statute</u>
Allowing Inspection Sticker To Be Put On/No Inspection.....	G.S. 20-183(a)(2)
Alteration Of Serial Numbers	G.S. 20-109(b)
Alteration/Forgery Of Title/Registration	G.S. 20-71
Delivery Of Open Title	G.S. 20-72(b)
Failure To Apply For New Title	G.S. 20-73
Failure To Deliver Title.....	G.S. 20-72(b)
Failure To Display/Advertise Dealer License/List	G.S. 20-290
Failure To Exhibit License.....	G.S. 20-29
Failure To Mark For hire Vehicle.....	G.S. 20-101
Failure To Obtain Registration/Title.....	G.S. 20-50
Failure To Obtain Address Change/Registration.....	G.S. 20-67
Failure To Surrender Registration/Tag	G.S. 20-72(a)
Failure To Surrender Title	G.S. 20-59
False Report Of Theft Of Motor Vehicle.....	G.S. 20-102.1
Fictitious Information To Officer	G.S. 20-29
Give/Loan/Borrow License Plate.....	G.S. 20-111(3)
Injuring/Tampering With Vehicle.....	G.S. 20-107
• Also applies to nonmotor vehicles, may not be motor vehicle offense.	
Inspection Violations – Mechanic/Station	G.S. 20-183.8
Larceny Of Motor Vehicle.....	G.s. 14-72(a), 20-17(a)(3)
• Maybe also a moving violation?	
Littering.....	G.S. 14-399(f1)
Motor Carrier Violations.....	G.S. 20-396
• Some violations may also be moving.	
Motor Vehicle Rental Fraud	G.S. 20-106.1
Motor Vehicle Sublease Violation.....	G.S. 20-106.2(b)
No Dealer’s License.....	G.S. 20-287
No Insurance (Owner).....	G.S. 20-309
No Lights on Parked Vehicle.....	G.S. 20-134
No Registration Card	G.S. 20-57
Possession Of Stolen Vehicle	G.S. 20-106
Registration Of Vehicle With No Directional Signal	G.S. 20-125.1
Unlawful Change Of Mileage/Odometer Fraud	G.S. 20-342 – 347.1
Unlawful Use Of Red/Blue Light	G.S. 20-130.1(c)
• May also be moving violation.	

NOT MOVING VIOLATIONS OR MOTOR VEHICLE OFFENSES

(Some of these may still result in additional revocations)

Cannot Be Used To Disqualify For A Hearing

<u>Offense</u>	<u>Statute</u>
Allow Use Of License Or Permit.....	G.S. 20-30(2)
Display Another’s License.....	G.S. 20-30(3)
Display/Possess Fictitious/Revoked Driver’s License.....	G.S. 20-30(1)
Failure To Notify DMV Of License Address Change	G.S. 20-7.1
Impede Traffic – Sitting/Standing/Lying.....	G.S. 20-174.1
Obtain Driver’s License By Fraud.....	G.S. 20-30(5)
Sell False Driver’s License/Permit	G.S. 20-30(7)
Selling Handicapped Placard	G.S. 20-37.6(c3)
Special ID Card Fraud	G.S. 20-37.7, 37.8
Soliciting From Highway.....	G.S. 20-175

**MOVING AND/OR MOTOR VEHICLE OFFENSES WHICH CANNOT BE USED TO
DISQUALIFY FOR A HEARING**

<u>Offense</u>	<u>Statute</u>
Handicapped Parking Violation.....	G.S. 20-37.6
Parking Violation.....	G.S. 20-162.1
Seatbelt Violation.....	G.S. 20-135.2A