

202.40 SPEED RESTRICTIONS - SCHOOL AND SCHOOL ACTIVITY BUSES.

The motor vehicle law provides that a

[school bus [occupied by one or more child passengers]¹ [loaded with children]² shall not be driven at a greater rate of speed than 45 miles per hour]³

[a school activity bus [occupied by one or more child passengers]⁴ [loaded with children]⁵ shall not be driven at a greater rate of speed than 55 miles per hour]⁶.

A violation of this law is negligence within itself.

1. This version applies to acts committed on or after August 28, 2009, the effective date of 2009 N.C. Sess. Laws 550 which amended N.C. Gen. Stat. § 20-218(b).

2. This version applies to acts committed prior to the August 28, 2009 effective date of 2009 N.C. Sess. Laws 550 which amended N.C. Gen. Stat. § 20-218(b).

3. If an instruction on the definition of a school bus is required, insert the following statutory language: A "school bus" is

[a] vehicle whose primary purpose is to transport school students over an established route to and from school for the regularly scheduled school day, that is equipped with alternating flashing red lights on the front and rear and a mechanical stop signal, and that bears the plainly visible words 'School Bus' on the front and rear. The term includes a public, private, or parochial vehicle that meets this description.

N.C. Gen. Stat. § 20-4.01(27)(d4) (2009).

4. See *supra* note 1.

5. See *supra* note 2.

6. If an instruction on the definition of a school activity bus is required, insert the following statutory language: A "school activity bus" is

[a] vehicle, generally painted a different color from a school bus, whose primary purpose is to transport school students and others to or from a place for participation in an event other than regular classroom work. The term includes a

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public, private, or parochial vehicle that meets this description.
N.C. Gen. Stat. § 20-4.01(27)(d3).