

202.85 DRIVING TOO SLOWLY - NO PRESCRIBED MINIMUM SPEED.¹

The motor vehicle law provides that no person shall operate a motor vehicle on a highway at such a slow speed as to impede the normal and reasonable movement of traffic.

A violation of this law is negligence within itself.

(Do not use any part of the remainder of this instruction except as the evidence justifies.)

However, this law does not apply when reduced speed is necessary for safe operation because of

[mechanical failure]²

[(state any other pertinent exception)].³

1. The statute does not apply to "farm tractors and other motor vehicles operating at reasonable speeds for the type and nature of such vehicles." As to driving below prescribed minimum speeds, see N.C.P.I.-Civil 202.90.

2. See *Conrad v. Motor Express*, 144 S.E.2d 269, 265 N.C. 427 (1965), involving a similar South Carolina statute. See also *Gantt v. Hobson*, 82 S.E.2d 384, 240 N.C. 426 (1954).

3. The statute says "except when reduced speed is necessary for safe operation . . . or in compliance with law." Hence if, under the circumstances, some other rule of the road indicates that the driver should proceed slowly, an exception covering it should be stated at this point in the instruction.

School and school activity buses are forbidden to drive faster than certain speeds. See N.C.P.I.-Civil 202.40.