

N.C.P.I.-Motor Vehicle 202.20A
SPEED RESTRICTIONS-FAILURE TO REDUCE SPEED.
MOTOR VEHICLE VOLUME
MAY 1988
N.C. Gen. Stat. § 20-141(m)

202.20A SPEED RESTRICTIONS - FAILURE TO REDUCE SPEED. N.C. Gen. Stat. § 20-141(m).¹

The motor vehicle law provides that the fact that a person is driving *his* vehicle at a speed lower than the posted speed limit does not relieve *him* of the duty to decrease *his* speed as may be necessary to avoid colliding with any [person] [vehicle]² on (or entering) the highway, and to avoid injury to any [person] [property].

Thus, even though the speed of (*name driver*)'s vehicle was lower than the posted limit set by law, if *he* failed to decrease speed when, under the existing circumstances, a reasonably careful and prudent person would have decreased speed to avoid colliding with any [person] [vehicle] on (or entering) the highway, and to avoid injury to any [person] [property], such failure would be negligence.

1. This instruction should be used for violations occurring on or after July 1, 1977. If the violation occurred before January 1, 1975, use N.C.P.I. -Civil 202.20. Between Jan. 1, 1975, and July 1, 1977, no statutory violation of failure to reduce speed existed.

2. The statute also refers to "or other conveyance." If the evidence identifies some conveyance which is not a vehicle, the instruction should be varied accordingly.