

At Martin & Jones, we help people who are injured as a result of someone else's negligence. While the cause of your accident may be obvious, you will have to prove that the other party was negligent even if you don't go to court. Being able to demonstrate that the other driver broke the law can therefore be powerful evidence to support your claim, whether you have been injured in a [car accident](#), a [motorcycle accident](#), or a [truck accident](#). Understanding how these laws apply to your case can help you navigate the claim process so that you can get fair compensation for your injuries.

North Carolina Auto Insurance Requirements

Like every other state, North Carolina requires drivers to carry auto insurance. This is to protect not only yourself but also other drivers in the event of an accident and covers both injuries and property damage. However, the amount of coverage varies from state to state. North Carolina requires drivers to carry the following minimum coverage amounts:

- \$30,000 for bodily injury to one person
- \$60,000 for bodily injury to two or more people
- \$25,000 for property damage

Again, this is the minimum coverage required - individual policies can provide greater coverage. As you might imagine, a \$30,000 minimum can be exhausted quickly in the event of an accident that results in severe injuries.

Many drivers choose not to carry insurance or carry insufficient coverage despite the fact that it is required by law and failure to do so carries fees and penalties. As a result, North Carolina also requires drivers to carry uninsured/underinsured motorist coverage. This allows drivers to seek a claim under their own policy in the event that the other driver is underinsured or does not have any insurance at all. If you are worried about whether the driver who

caused your accident has sufficient insurance coverage, speak to a Raleigh car accident lawyer.

North Carolina's Headlight Laws

Most people know that they need to turn on their headlights at night. However, North Carolina's headlight laws specifically require drivers to use their headlights in the following situations:

- From sunset to sunrise
- When visibility is less than 400 feet (such as in foggy conditions)
- When using your windshield wipers

Using your headlights during these conditions, especially during inclement weather, helps you be more visible to other drivers and thereby avoid accidents especially when traveling at highway speeds. Regardless of what the law requires, drivers have a legal obligation to drive safely as dictated by current conditions, which may require using their headlights even if not required by law.

North Carolina's "Hands-Free" Laws

Distracted driving is a major problem across the country, leading to serious accidents that often result in death. The increase of distracted driving fatalities has been linked to the use of mobile phones and other similar devices while driving. As a result, North Carolina has followed the efforts of many other states by strictly prohibiting the use of phones while driving:

- Drivers under the age of 18 are strictly prohibited from using a mobile phone while driving except in an emergency or while talking to a parent
- All drivers are prohibited from reading or writing texts or emails while the vehicle is moving.

It's important to note that adults over the age of 18 can talk on a mobile phone while driving. Any type of distracted driving can be considered negligence even if it is allowed under the law. If you have been injured in an accident caused by distracted driving, you should speak with a Raleigh car accident lawyer as soon as possible.

Many people believe that North Carolina's laws pertaining to the use of mobile phones simply don't go far enough to guard against distracted driving. Even though North Carolina's current "hands-free" law is relatively new, legislators are introducing bills to prohibit any use of mobile devices while driving.

“Move Over” Law

To protect emergency responders, North Carolina has also adopted a “move over” law. This law requires drivers to either move over one lane or slow down if changing lanes isn’t feasible when passing law enforcement, emergency vehicles, or NCDOT roadway assistance vehicles with flashing lights.

Reporting Accidents to Law Enforcement

If you are involved in a car accident that results in injury, death, or property damage of \$1,000 or more, North Carolina requires you to report the accident to local law enforcement. Failure to do so could result in the suspension of your driver’s licence. Because vehicle repairs are expensive, it is advisable to report your fender bender to the police unless you are certain that the damage to your vehicle or the other driver’s vehicle is less than \$1,000.

North Carolina’s DWI Laws

Driving while under the influence of drugs or alcohol is illegal in the state of North Carolina. It is important to understand the specifics of North Carolina’s DWI laws:

- Driving with a blood alcohol content (BAC) of .08% or greater is against the law.
- For commercial drivers (people who are driving as part of their employment), it is illegal to drive with a BAC of .04% or higher.
- Drivers under the age of 21 are prohibited from driving with any amount of alcohol in their system.
- Drivers can be charged for DWI for driving while under the influence of any impairing substance, including prescription drugs.
- Driving while under the influence of a Schedule I controlled substance (e.g. heroin or ecstasy) is prohibited.

Drivers who are charged with DWI face criminal prosecution with severe penalties. Regardless of the legal consequences, driving while under the influence of drugs or alcohol is negligent driving, even if the driver’s charges are dropped or they plead to a lesser charge. An experienced Raleigh car accident lawyer can help you pursue a claim for compensation if you have been injured in a drunk driving accident.

Dram Shop Laws and Social Host Liability

Many states have laws that prohibit serving alcohol to patrons when they know they are already intoxicated and will be driving a car. These laws allow accident victims to sue the bar, restaurant, liquor store, or other establishments for damages related to the injuries caused by the intoxicated driver. This can allow accident victims to get fair compensation when the driver is uninsured or is otherwise unable to pay for the victim's losses.

Claims under North Carolina's dram shop laws are limited mainly to situations where the establishment negligently sold alcohol to a minor, but North Carolina does prohibit the sale of alcohol to people who are obviously intoxicated. You may be able to pursue a negligence claim against an establishment that provided alcohol to the driver who caused your accident.

Social host liability, however, is somewhat more expansive. This applies to situations where a driver became intoxicated at a private party such as a family gathering or other non-commercial event. The host who provided the alcohol may be held liable for your injuries if they served alcohol to the other driver knowing that they were intoxicated and that they would be getting behind the wheel.

These cases are often complex, but a Raleigh car accident lawyer can help you navigate these issues to get the compensation you need to rebuild your life.

Teen Driving Laws

North Carolina imposes multiple restrictions on drives under the age of 18. For example:

- Drivers with a learner's permit must drive with a parent or guardian in the front seat.
- Drivers with a learner's permit can only drive between the hours of 5 am and 9 pm for the first six months that they have their permit.
- Drivers with a limited provisional license can drive only between the hours of 5 am and 9 pm unless driving to and from work or from a volunteer activity of an emergency services agency of which they are a member.

Provisional licenses are available to teens who are at least 16 years old and meet the following requirements:

- They have held a learner's permit for at least 12 months;
- They have not been convicted of any moving violation or seatbelt violation within the last 6 months; and
- They have passed a road test administered by the DMV.

Teen drivers can qualify for full driving privileges once they have held their provisional license for at least 6 months and have not been convicted of any moving or seatbelt violations during that time.

Martin & Jones - North Carolina Car Accident Lawyers

At Martin & Jones, we leverage our deep experience and knowledge of North Carolina's complex laws to help our clients obtain the compensation they need when injured in a car accident. With offices in [Durham](#), [Raleigh](#), and [Wilmington](#), we protect the rights of injured people across the state of North Carolina. If you have been injured in a car accident, give us a call at 800-662-1234 or simply complete our [online contact form](#) to schedule a free consultation with one of our North Carolina car accident lawyers.