

SPEED RESTRICTIONS--FAILURE TO REDUCE SPEED. G.S. 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.

¹This 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.

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

