

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE DRH80318-MA-355 (03/24)

Short Title: Limited Driving Privileges for 18/19/20-DWI.

(Public)

Sponsors: Representative Stevens.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO CLARIFY THAT INDIVIDUALS WHO ARE EIGHTEEN, NINETEEN, OR
3 TWENTY YEARS OF AGE AND WHO HAVE BEEN CONVICTED OF DRIVING
4 WHILE IMPAIRED ARE ELIGIBLE FOR A LIMITED DRIVING PRIVILEGE.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 20-179.3 reads as rewritten:

7 "(b) Eligibility. –

8 (1) A person convicted of the offense of impaired driving under G.S. 20-138.1 is
9 eligible for a limited driving privilege if:

- 10 a. At the time of the offense he held either a valid driver's license or a
11 license that had been expired for less than one year;
12 b. At the time of the offense he had not within the preceding seven
13 years been convicted of an offense involving impaired driving;
14 c. Punishment Level Three, Four, or Five was imposed for the offense
15 of impaired driving;
16 d. Subsequent to the offense he has not been convicted of, or had an
17 unresolved charge lodged against him for, an offense involving
18 impaired driving; and
19 e. The person has obtained and filed with the court a substance abuse
20 assessment of the type required by G.S. 20-17.6 for the restoration of
21 a drivers license.

22 A person whose North Carolina driver's license is revoked because of a conviction in
23 another jurisdiction substantially similar to impaired driving under G.S. 20-138.1 is eligible for
24 a limited driving privilege if he would be eligible for it had the conviction occurred in North
25 Carolina. A person who is 18, 19, or 20 years of age is eligible for a limited driving privilege
26 under this section unless the person has a prior conviction under G.S. 20-138.1 or is convicted
27 of violating G.S. 20-138.1 and G.S. 20-138.3 contemporaneously. Eligibility for a limited
28 driving privilege following a revocation under G.S. 20-16.2(d) is governed by
29 G.S. 20-16.2(e1)."

30 **SECTION 2.** This act is effective when it becomes law.

