

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

H

2

HOUSE BILL 350
Senate Transportation Committee Substitute Adopted 5/6/15

Short Title: Restore Driving Privileges/Competency.

(Public)

Sponsors:

Referred to:

March 26, 2015

A BILL TO BE ENTITLED

AN ACT TO DIRECT THE DIVISION OF MOTOR VEHICLES TO RESTORE THE
DRIVERS LICENSE OF A PERSON ADJUDICATED TO BE RESTORED TO
COMPETENCY.

The General Assembly of North Carolina enacts:

SECTION 1. Article 2 of Chapter 20 of the General Statutes is amended by adding
a new section to read:

"§ 20-17.1A. Restoration of license for person adjudicated to be restored to competency.

If otherwise eligible under G.S. 20-7 and any other applicable provision of law, the
Division shall restore the drivers license of a person adjudicated to be restored to competency
under G.S. 35A-1130 upon receiving notice from the clerk of court in which the adjudication is
made. Nothing in this section shall be construed as requiring the Division to restore the drivers
license of a person if (i) the person's drivers license was revoked because of a conviction or
other act requiring revocation and (ii) the person has not met the requirements set forth in this
Article for restoration of the person's drivers license."

SECTION 2. G.S. 35A-1130(d) reads as rewritten:

"(d) If the clerk or jury finds by a preponderance of the evidence that the ward is
competent, the clerk shall enter an order adjudicating that the ward is restored to competency.
Upon such adjudication, the ward is authorized to manage his or her affairs, make contracts,
control and sell his or her property, both real and personal, and exercise all rights as if he or she
had never been adjudicated incompetent. In addition, the clerk shall send a certified copy of the
order adjudicating that the ward is restored to competency to the Division of Motor Vehicles."

SECTION 3. This act becomes effective October 1, 2015.

