

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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SENATE BILL DRS45174-ML-105 (02/23)

Short Title: Habitual Impaired Driving/10-Year Period. (Public)

Sponsors: Senators J. Jackson, Newton, and Britt (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ADJUST HOW THE TEN-YEAR PERIOD FOR DETERMINING WHETHER A PERSON COMMITTED THE OFFENSE OF HABITUAL IMPAIRED DRIVING IS CALCULATED.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-138.5 reads as rewritten:

"§ 20-138.5. **Habitual impaired driving.**

(a) A person commits the offense of habitual impaired driving if ~~he~~ the person drives while impaired as defined in G.S. 20-138.1 and has been convicted of three or more offenses involving impaired driving as defined in G.S. 20-4.01(24a) within 10 years of the date of this offense. In calculating the 10-year period under this subsection, any period of time during which the person was incarcerated in a local, state, or federal detention center, jail, or prison shall be excluded.

...

(d) A person convicted under this section shall have his or her license permanently revoked.

...."

SECTION 2. This act becomes effective December 1, 2017, and applies to offenses committed on or after that date.



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