



HOUSE BILL 529: North Carolina Drivers License Restoration Act

2015-2016 General Assembly

Committee:

Introduced by:

Analysis of: S.L. 2015-186

Date:

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SUMMARY: S.L. 2015-186, as amended by Sec. 86 of S.L. 2015-264, limits the imposition of an additional period of revocation upon a conviction of driving while license revoked (DWLR) and makes various conforming changes.

This act became effective December 1, 2015, and applies to offenses committed on or after that date. Prosecutions for offenses prior to December 1, 2015 are not abated or affected.

CURRENT LAW: G.S. 20-28(a) makes it a Class 3 misdemeanor for a person to drive while license revoked for any reason other than an impaired driving revocation. If the person's license was originally revoked for an impaired driving revocation, the person is guilty of a Class 1 misdemeanor. Upon conviction, the license will be revoked for an additional period of one year for the first offense, two years for the second offense, and permanently for a third or subsequent offense.

G.S. 20-28.1(a) requires that the DMV revoke driving privileges for an additional period of time if a person is convicted of a motor vehicle moving offense while the person's driver's license was in a state of suspension or revocation.

A person whose license is revoked may apply for a limited driving privilege as follows:

- One year revocation: Apply after 90 days.
- Two year revocation: Apply after one year.
- Permanent revocation: Apply after three years.

BILL ANALYSIS: The act provides that the additional period of revocation currently required by G.S. 20-28 for all DWLR offenses applies only to convictions of DWLR when the license was revoked for impaired driving. This excludes DWLR convictions that were not DWLR for impaired driving from being classified as motor vehicle moving offenses for purposes of applying for a new drivers license.

EFFECTIVE DATE: The act became effective December 1, 2015, and applies to offenses committed on or after that date. Prosecutions for offenses prior to December 1, 2015 are not abated or affected.

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