



This Bill Analysis reflects the contents of the bill as it was presented in committee.

SENATE BILL 671: DL Restoration/DWI Treatment Court

2015-2016 General Assembly

Committee:	House Judiciary II, if favorable, Finance	Date:	August 18, 2015
Introduced by:	Sens. Apodaca, Van Duyn, J. Davis	Prepared by:	Susan Sitze
Analysis of:	PCS to Third Edition S671-CSSA-93		Committee Counsel

SUMMARY: *The Proposed Committee Substitute (PCS) for Senate Bill 671 would allow the Division of Motor Vehicles (DMV) to conditionally restore a drivers license revoked for a conviction of Driving While Impaired (DWI) after at least a one-year revocation period if the person has graduated from a Drug Treatment or a DWI Treatment Court Program.*

The PCS changes the alcohol concentration requirement to 0.00 to be consistent with current law.

CURRENT LAW: Under G.S. 20-19, a person convicted of impaired driving is subject to a mandatory license revocation for a minimum of one year; the revocation can be for four years or permanent, if the person has prior DWI convictions. A person whose license is revoked for 4 years may have it conditionally restored after 2 years. A person whose license is revoked permanently may have it conditionally restored after 3 years.

BILL ANALYSIS:

The PCS for Senate Bill 671 would amend G.S. 20-19 to do the following:

- Allow the DMV to conditionally restore a drivers license after a revocation for DWI if the following requirements are met:
 - The drivers license has been revoked for at least one year.
 - The person provides a certificate of graduation from a Drug Treatment or DWI Treatment Court Program.
 - The person provides a letter of recommendation from the treatment court's presiding judge.
 - The person pays a \$25.00 fee, to be deposited in the Highway Fund.
- Require the DMV to impose the following conditions upon the restoration of the license, in addition to any other reasonable restrictions, requirements, and conditions imposed by the Division, for the duration of the original revocation period:
 - All vehicles owned by the individual must be equipped with ignition interlock
 - The person may only operate vehicles equipped with an approved ignition interlock system set to prevent driving the vehicle by someone with an alcohol concentration greater than 0.00.
 - The person must personally activate the ignition interlock system before driving the motor vehicle.

EFFECTIVE DATE: This act would become effective December 1, 2015.

Heather Fennell, Bill Patterson and Jennifer Bedford, staff attorneys, contributed to this summary.

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