



SENATE BILL 339: Modify Lmt'd Driving Privilege/Criminal Laws.

2023-2024 General Assembly

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| Committee: | Senate Judiciary. If favorable, re-refer to Rules and Operations of the Senate | Date: | April 18, 2023 |
| Introduced by: | Sens. Britt, Lazzara, Mohammed | Prepared by: | Robert Ryan |
| Analysis of: | First Edition | | Committee Co-Counsel |

OVERVIEW: *Senate Bill 339 would make the following changes:*

- *Amend the application of S.L. 2015-186 to apply to offenses committed before December 1, 2015.*
- *Make impersonation of a taxicab driver unlawful.*
- *Allow a court to extend the term of a limited driving privilege to bridge the gap between the expiration of the limited driving privilege and the date set to consider reinstatement of the driver's regular driving privilege.*
- *Amend certain license revocation laws.*

CURRENT LAW AND BILL ANALYSIS:

Section 1

S.L. 2015-186, as amended by Sec. 86 of S.L. 2015-264, limited the imposition of an additional period of revocation upon a conviction of driving while license revoked and made various conforming changes and applied to offenses committed on or after December 1, 2015.

Section 1 provides that the changes made by S.L. 2015-186 would also apply to offenses committed before December 1, 2015.

Section 2

G.S. 14-401.27 provides that it is unlawful for a person to impersonate a transportation network company driver (TNC driver). A TNC driver is a defined term meaning: "An individual that uses a passenger vehicle in connection with a transportation network company's online-enabled application or platform to connect with passengers in exchange for payment of a fee to the transportation network company." A violation of this section during the commission of a separate felony offense is a Class H felony. Any other violation of this section is a Class 2 misdemeanor.

Section 2 would also make impersonation of a taxicab driver unlawful.

Section 3

G.S. 20-20.1 provides the procedure for a court to issue a limited driving privilege to drivers with certain revocations.

Section 3 would allow a court to extend the term of a limited driving privilege issued under G.S. 20-20.1 to bridge the gap between the expiration of the limited driving privilege and the date set by the Division of Motor Vehicles to consider reinstatement of the driver's regular driving privilege.

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Senate Bill 339

Page 2

Section 4

G.S. 20-28.1 provides for additional periods of driver's license revocations if a person has a suspended or revoked license, and then commits another driving offense while that suspension or revocation is still active.

Section 4 would:

- Eliminate an additional period of revocation for a first conviction for a moving offense while license revoked or suspended if the underlying revocation is resolved, or the person is complying with the court ordered payment plan.
- Reduce the additional period of revocation for a second conviction for a moving offense while license revoked or suspended, from two years to one year.
- Reduce a permanent revocation for the third or subsequent conviction for a moving offense while license revoked or suspended, to two years unless the revocation was related to impaired driving.
- Provide that driving without insurance on a license restored on the condition of having insurance, is driving while license revoked in addition to failure to maintain financial responsibility.

EFFECTIVE DATE: Section 1 is effective when it becomes law. Section 2 becomes effective December 1, 2023, and applies to offenses committed on or after that date. Section 3 becomes effective December 1, 2023, and applies to limited driving privileges issued on or after that date. Section 4 becomes effective December 1, 2023, and applies to convictions entered before, on or after that date. Except as otherwise provided, this act is effective when it becomes law.