



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

2023-2024 General Assembly

Committee:	Senate Rules and Operations of the Senate	Date:	April 20, 2023
Introduced by:	Sens. Britt, Lazzara, Mohammed	Prepared by:	Robert Ryan
Analysis of:	First Edition		Staff Attorney

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.

Jeffrey Hudson
Director



* S 3 3 9 - S M C E - 3 6 E 1 - V - 2 *

Legislative Analysis
Division
919-733-2578

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.