

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 650
Committee Substitute Favorable 5/8/89
Third Edition Engrossed 5/10/89
Judiciary I Senate Committee Substitute Adopted 7/28/90

Short Title: Kids Who Don't Say No Won't Drive.

(Public)

Sponsors:

Referred to:

March 16, 1989

A BILL TO BE ENTITLED

AN ACT TO DENY ELIGIBILITY FOR OR REVOKE THE DRIVER'S LICENSE OF
A MINOR FOR ONE YEAR FOR ALCOHOL OR DRUG VIOLATIONS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-9 is amended by adding a new subsection to read:

"(a1) The Division shall not issue a driver's license to any person under 17 years of age who was convicted of an offense under G.S. 90-95 or under Article 3 of Chapter 18B of the General Statutes or was adjudicated delinquent for acts that would constitute a violation of any of those offenses if committed by an adult, if the offense or act occurred before the person reached the age of 16."

Sec. 2. Chapter 20 of the General Statutes is amended by adding a new section to read:

"§ 20-17.5 Revocation of provisional license for alcohol or drug convictions.

(a) The Division shall revoke the driver's license of a provisional licensee who is convicted of an offense under G.S. 90-95 or under Article 3 of Chapter 18B of the General Statutes, if the offense occurred when the person was 16 years of age or older.

(b) A revocation under this section shall be for one year.

(c) Revocations under this section shall run concurrently with any other revocations, but a limited driving privilege issued pursuant to law does not authorize a provisional licensee to drive if his license is revoked under this section."

Sec. 3. G.S. 20-24(a) reads as rewritten:

1 (a) Whenever any person is convicted of any offense for which this Article makes
2 mandatory the revocation of the driver's license of such person by the Division, the
3 court in which such conviction is had shall require the surrender to it of all drivers'
4 licenses then held by the person so convicted and the court shall thereupon forward the
5 same, together with a record of such conviction, to the Division within 30 days.

6 When any juvenile who has not reached his eighteenth birthday is convicted of any
7 offense under G.S. 90-95 or under Article 3 of Chapter 18B of the General Statutes or is
8 adjudicated delinquent for acts that would constitute a violation of any of those offenses
9 if committed by an adult, the court shall report the conviction or adjudication of
10 delinquency to the Division within 30 days. The Division is an authorized agency
11 pursuant to G.S. 7A-675 to maintain juvenile records.

12 The clerks of court, assistant clerks of court and deputy clerks of court in which any
13 person is convicted, and as a result thereof the revocation or suspension of the driver's
14 license of such person is required under the provisions of this Chapter, are hereby
15 designated as agents of the Division of Motor Vehicles for the purpose of receiving all
16 drivers' licenses required to be surrendered under this section, and are hereby authorized
17 to and shall give to such licensee a dated receipt for any such license surrendered, such
18 receipt to be upon such form as may be approved by the Commissioner of Motor
19 Vehicles. The original of such receipt shall be mailed forthwith to the Driver License
20 Section of the Division of Motor Vehicles together with the driver's license. Any
21 driver's license which has been surrendered and for which a receipt has been issued as
22 herein required shall be revoked or suspended as the case may be as of the date shown
23 upon the receipt issued to such person."

24 Sec. 4. G.S. 20-27(a) reads as rewritten:

25 (a) All records of the Division pertaining to application and to drivers' licenses,
26 except the confidential medical report referred to in G.S. 20-7 and the records of acts of
27 delinquency that would constitute a violation of offenses under G.S. 90-95 or under
28 Article 3 of Chapter 18B of the General Statutes required to be reported by G.S. 20-
29 24(a), of the current or previous five years shall be open to public inspection at any
30 reasonable time during office hours and copies shall be provided pursuant to the
31 provisions of G.S. 20-26."

32 Sec. 5. This act shall become effective March 1, 1991, and shall apply to
33 offenses or acts of delinquency committed on or after March 1, 1991.