

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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HOUSE BILL 956*

Short Title: Permanent Revocation Hearing.

(Public)

Sponsors: Representative Creech.

Referred to: Judiciary I.

April 8, 1999

A BILL TO BE ENTITLED

1 AN ACT TO ALLOW THE DIVISION OF MOTOR VEHICLES TO
2 PROVISIONALLY RESTORE THE DRIVERS LICENSE OF A PERSON
3 CONVICTED OF HABITUAL IMPAIRED DRIVING AFTER FIVE YEARS.

4 The General Assembly of North Carolina enacts:

5 Section 1. G.S. 20-138.5(d) reads as rewritten:

6 "(d) A person convicted under this section shall have his license permanently
7 revoked.
8

9 The Division may, however, conditionally restore the person's license after it has been
10 revoked for at least five years if he provides the Division, at a hearing, with satisfactory
11 proof of all of the following:

12 (1) In the five years immediately preceding the person's application for a
13 restored license, he has not been convicted in North Carolina or in
14 any other state or federal court of a motor vehicle offense, an alcohol
15 beverage control law offense, a drug law offense, or any criminal
16 offense involving the consumption of alcohol or drugs.

17 (2) He is not a user of alcohol or drugs.

18 (3) He has complied with the requirements of G.S. 20-19(k).

19 If the Division restores the person's license, it may place reasonable conditions or
20 restrictions on the person for any period up to five years from the date of restoration."

1 Section 2. This act becomes effective December 1, 1999.