

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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HOUSE BILL 1425

Short Title: Limited Driving Privileges for 18/19/20-DWI. (Public)

Sponsors: Representative Stevens.

Referred to: Judiciary I, if favorable, Finance.

April 13, 2009

A BILL TO BE ENTITLED

AN ACT TO CLARIFY THAT INDIVIDUALS WHO ARE EIGHTEEN, NINETEEN, OR  
TWENTY YEARS OF AGE AND WHO HAVE BEEN CONVICTED OF DRIVING  
WHILE IMPAIRED ARE ELIGIBLE FOR A LIMITED DRIVING PRIVILEGE.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 20-179.3 reads as rewritten:

"(b) Eligibility. –

(1) A person convicted of the offense of impaired driving under G.S. 20-138.1 is eligible for a limited driving privilege if:

- a. At the time of the offense he held either a valid driver's license or a license that had been expired for less than one year;
- b. At the time of the offense he had not within the preceding seven years been convicted of an offense involving impaired driving;
- c. Punishment Level Three, Four, or Five was imposed for the offense of impaired driving;
- d. Subsequent to the offense he has not been convicted of, or had an unresolved charge lodged against him for, an offense involving impaired driving; and
- e. The person has obtained and filed with the court a substance abuse assessment of the type required by G.S. 20-17.6 for the restoration of a drivers license.

A person whose North Carolina driver's license is revoked because of a conviction in another jurisdiction substantially similar to impaired driving under G.S. 20-138.1 is eligible for a limited driving privilege if he would be eligible for it had the conviction occurred in North Carolina. A person who is 18, 19, or 20 years of age is eligible for a limited driving privilege under this section unless the person has a prior conviction under G.S. 20-138.1 or is convicted of violating G.S. 20-138.1 and G.S. 20-138.3 contemporaneously. Eligibility for a limited driving privilege following a revocation under G.S. 20-16.2(d) is governed by G.S. 20-16.2(e1)."

**SECTION 2.** This act is effective when it becomes law.

