

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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HOUSE BILL 212

Short Title: DL Restoration/DWI Treatment Court. (Public)

Sponsors: Representative Clampitt.

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Transportation, if favorable, Judiciary 2, if favorable, Rules, Calendar, and Operations of the House

February 28, 2023

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO CONDITIONALLY RESTORE THE DRIVERS LICENSES OF PERSONS WHO HAVE SUCCESSFULLY COMPLETED A DRUG TREATMENT OR DWI TREATMENT COURT PROGRAM AND TO DIRECT THE DIVISION OF MOTOR VEHICLES TO ESTABLISH A PILOT PROGRAM TO ASSIST PERSONS RECEIVING A CONDITIONAL RESTORATION WITH THE COST OF INSTALLING AN IGNITION INTERLOCK SYSTEM.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-19 is amended by adding a new subsection to read:

"(d1) Notwithstanding any other provision of law, when a person's license is revoked for an impaired driving offense and the person is sentenced pursuant to G.S. 20-179, the Division may conditionally restore the person's license after it has been revoked for at least one year if the person (i) provides the Division with a certificate of graduation from a Drug Treatment or Driving While Impaired (DWI) Treatment Court Program established pursuant to Article 62 of Chapter 7A of the General Statutes, (ii) provides the Division with a letter of recommendation from the presiding judge of the Drug Treatment or DWI Treatment Court, and (iii) pays, in addition to any other applicable fees, a fee of twenty-five dollars (\$25.00). The twenty-five dollar (\$25.00) fee shall be deposited in the Highway Fund. If the Division restores the person's license, it shall place all of the following restrictions, requirements, and conditions on the person for the duration of the original revocation period:

- (1) A requirement that all registered vehicles owned by that person be equipped with a functioning ignition interlock system in accordance with G.S. 20-17.8(c1).
- (2) A restriction that the person may operate only a motor vehicle equipped with a functioning ignition interlock system of a type approved by the Commissioner that is set to prohibit driving with an alcohol concentration of greater than 0.00.
- (3) A requirement that the person personally activate the ignition interlock system before driving the motor vehicle.

In addition, the Division may place other reasonable restrictions, requirements, and conditions on the person for the duration of the original revocation period."

SECTION 2.(a) Pilot Project. – The Division of Motor Vehicles (Division) shall develop and implement a pilot project to cover costs for persons installing ignition interlock systems on their vehicles in accordance with G.S. 20-19(d1), as enacted by Section 1 of this act.



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1 In order to qualify for funding under this pilot project, the person seeking funding shall provide
2 proof satisfactory to the Division of the person's inability to pay the costs associated with
3 installing an ignition interlock system on the person's vehicle. The Division may establish any
4 other reasonable restrictions, requirements, and conditions it deems necessary on persons seeking
5 funding under this pilot project.

6 **SECTION 2.(b)** Report. – The Division shall submit a report to the 2024 Regular
7 Session of the 2023 General Assembly upon its convening detailing the total amount of funds
8 spent under the pilot project, the number of persons who received funds under the pilot project,
9 and the average amount of funds provided per person under the pilot project.

10 **SECTION 2.(c)** Appropriation. – There is appropriated from the Highway Fund to
11 the Division the sum of two hundred fifty thousand dollars (\$250,000) in nonrecurring funds for
12 the 2023-2024 fiscal year to be used for the pilot project established under subsection (a) of this
13 section. Any unspent or unencumbered funds remaining upon the expiration of the pilot project
14 shall revert to the Highway Fund.

15 **SECTION 2.(d)** Expiration. – This section expires June 30, 2024.

16 **SECTION 3.** This act becomes effective July 1, 2023.