

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

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HOUSE BILL 45

Short Title: Gas Drive Aways/License Suspension.

(Public)

Sponsors: Representatives Decker, Warwick, and Capps.

Referred to: Rules, Calendar, and Operations of the House.

February 5, 2001

A BILL TO BE ENTITLED

1 AN ACT TO PROVIDE THAT PERSONS CONVICTED OF OFFENSES
2 INVOLVING DRIVING AWAY WITHOUT PAYING FOR GASOLINE OR
3 MOTOR FUEL SHALL HAVE THEIR DRIVERS LICENSE SUSPENDED.
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5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 14-72 is amended by adding a new subsection to read:

7 "(e) The following alternatives apply when the larceny or receiving or possession
8 of stolen goods as described in subsection (a) of this section involves the theft of motor
9 fuel:

10 (1) In addition to the fine and imprisonment otherwise authorized by this
11 section, the court may order the suspension of the drivers license of a
12 person convicted of violating this section for a first time for a period of
13 not to exceed six months if the conviction involved a person driving
14 his or her motor vehicle off the premises of an establishment where
15 gasoline is offered for retail sale after dispensing gasoline or motor
16 vehicle fuel into the fuel tank of a motor vehicle and failing to remit
17 payment or make an authorized charge for the gasoline or motor
18 vehicle fuel that was dispensed.

19 (2) In addition to the fine or imprisonment otherwise authorized by this
20 section, the court shall order the suspension of the drivers license of a
21 person convicted of violating this section for a second time for a
22 period of six months if both convictions involved are of the type
23 specified in subdivision (1) of this subsection.

24 (3) In addition to the fine and imprisonment otherwise authorized by this
25 section, the court shall order the suspension of the drivers license of a
26 person convicted of violating this section for a third or subsequent time
27 for a period of one year if all of the convictions involved are of the
28 type specified in subdivision (1) of this subsection.

1 (4) If a person's drivers license has been suspended under the provisions
2 of subdivision (1) of this subsection, then the court may allow the
3 continued use of a restricted drivers license under the applicable
4 provisions of G.S. 20-16.1(b) and (g). The person shall pay the
5 restoration fee required by G.S. 20-7(i1) prior to the restoration of a
6 drivers license suspended under this subsection."

7 **SECTION 2.** This act becomes effective December 1, 2001, and applies to
8 offenses committed on or after that date.