

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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HOUSE BILL 607
Committee Substitute Favorable 6/2/11

Short Title: Habitual DWI Restoration Clarification.

(Public)

Sponsors:

Referred to:

April 5, 2011

1 A BILL TO BE ENTITLED
2 AN ACT TO CLARIFY WHEN A PERSON MAY APPLY FOR A RESTORATION OF THE
3 PERSON'S LICENSE AFTER A HABITUAL DWI CONVICTION.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 20-19(e4) reads as rewritten:

6 "(e4) ~~When~~ Except as otherwise provided in this subsection, when a person's license is
7 revoked under G.S. 20-138.5(d), the Division may conditionally restore the license of that
8 person after it has been revoked for at least 10 years after conviction. ~~If the offense resulting in~~
9 revocation under this section involved serious injury to or the death of another person, the
10 Division may conditionally restore the license of that person after it has been revoked for at
11 least 10 years after the completion of any sentence imposed by the court. ~~The license may~~
12 be conditionally restored if the person provides the Division with satisfactory proof of all of the
13 following:

- 14 (1) In the 10 years immediately preceding the person's application for a restored
15 license, the person has not been convicted in North Carolina or in any other
16 state or federal court of a motor vehicle offense, an alcohol beverage control
17 law offense, a drug law offense, or any other criminal offense.
- 18 (2) ~~The person is not currently a user of alcohol, unlawfully using any~~
19 ~~controlled substance, or~~ In the 10 years immediately preceding the person's
20 application for a restored license, the person has not used alcohol or
21 unlawfully used controlled substances since the person's conviction and is
22 not currently an excessive user of prescription drugs."
23

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



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