



HOUSE BILL 529: NC Drivers License Restoration Act

**This Bill Analysis
reflects the contents
of the bill as it was
presented in
committee.**

2015-2016 General Assembly

Committee:	Senate Judiciary II	Date:	July 21, 2015
Introduced by:	Reps. Baskerville, Bryan	Prepared by:	Janice Paul
Analysis of:	PCS to Second Edition H529-CSTT-9		Jennifer Bedford Committee Counsel

SUMMARY: *The Proposed Committee Substitute (PCS) for House Bill 529 would limit the imposition of an additional period of revocation upon a conviction of driving while license revoked (DWLR) and makes various conforming changes.*

CURRENT LAW: G.S. 20-28(a) makes it a Class 3 misdemeanor for a person to drive while license revoked for any reason other than an impaired driving revocation. If the person's license was originally revoked for an impaired driving revocation, the person is guilty of a Class 1 misdemeanor. Upon conviction, the license will be revoked for an additional period of one year for the first offense, two years for the second offense, and permanently for a third or subsequent offense.

G.S. 20-28.1(a) requires that the DMV revoke driving privileges for an additional period of time if a person is convicted of a motor vehicle moving offense while the person's driver's license was in a state of suspension or revocation.

A person whose license is revoked may apply for a limited driving privilege as follows:

- One year revocation: Apply after 90 days.
- Two year revocation: Apply after one year.
- Permanent revocation: Apply after three years.

BILL ANALYSIS: The PCS for House Bill 529 would provide that the additional period of revocation currently required by G.S. 20-28 for all DWLR offenses applies only to convictions of DWLR when the license was revoked for impaired driving. The PCS would exclude any DWLR conviction that was not a DWLR for impaired driving from being classified as a "motor vehicle moving offense" for purposes of applying for a new drivers license.

EFFECTIVE DATE: This act becomes effective December 1, 2015, and applies to convictions on or after that date. Prosecutions for offenses prior to December 1, 2015 are not abated or affected.

Kelly Quick Turnow, counsel to House Judiciary IV, substantially contributed to this summary.

O. Walker Reagan
Director



Research Division
(919) 733-2578