

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007

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SENATE BILL 1211  
Judiciary I (Civil) Committee Substitute Adopted 4/30/07

Short Title: Require Fingerprinting for DWI/DWLR.

(Public)

Sponsors:

Referred to:

March 26, 2007

A BILL TO BE ENTITLED

AN ACT TO REQUIRE FINGERPRINTING OF ANY PERSON ARRESTED FOR ANY OFFENSES INVOLVING IMPAIRED DRIVING OR FOR DRIVING WHILE LICENSE REVOKED.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 15A-502 reads as rewritten:

"§ 15A-502. **Photographs and fingerprints.**

(a) A person charged with the commission of a felony or a misdemeanor may be photographed and his fingerprints may be taken for law-enforcement records only when he has been:

- (1) Arrested or committed to a detention facility, or
- (2) Committed to imprisonment upon conviction of a crime, or
- (3) Convicted of a felony.

(a1) It shall be the duty of the arresting law-enforcement agency to cause a person charged with the commission of a felony to be fingerprinted and to forward those fingerprints to the State Bureau of Investigation.

(a2) If the person cannot be identified by a valid form of identification, it shall be the duty of the arresting law-enforcement agency to cause a person charged with the commission of:

(1) Any offense involving impaired driving, as defined in G.S. 20-4.01(24a), or

(2) Driving while license revoked if the revocation is for an Impaired Driving License Revocation as defined in G.S. 20-28.2

to be fingerprinted and photographed, and to forward those fingerprints to the State Bureau of Investigation.

(b) This section does not authorize the taking of photographs or fingerprints when the offense charged is a Class 2 or 3 misdemeanor under Chapter 20 of the General Statutes, "Motor Vehicles."

1 (c) This section does not authorize the taking of photographs or fingerprints of a  
2 juvenile alleged to be delinquent except under Article 21 of Chapter 7B of the General  
3 Statutes.

4 (d) This section does not prevent the taking of photographs, moving pictures,  
5 video or sound recordings, fingerprints, or the like to show a condition of intoxication or  
6 for other evidentiary use.

7 (e) Fingerprints or photographs taken pursuant to ~~subsection (a)~~ subsection (a),  
8 (a1), or (a2) of this section may be forwarded to the State Bureau of Investigation, the  
9 Federal Bureau of Investigation, or other law-enforcement agencies."

10 **SECTION 2.** This act becomes effective October 1, 2007, and applies to  
11 offenses committed on or after that date.