

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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HOUSE BILL 607

Short Title: Habitual DWI Restoration Clarification. (Public)

Sponsors: Representative McElraft (Primary Sponsor).
For a complete list of Sponsors, see Bill Information on the NCGA Web Site.

Referred to: Judiciary Subcommittee B.

April 5, 2011

A BILL TO BE ENTITLED

AN ACT TO CLARIFY WHEN A PERSON MAY APPLY FOR A RESTORATION OF THE
PERSON'S LICENSE AFTER A HABITUAL DWI CONVICTION.

The General Assembly of North Carolina enacts:

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

"(e4) When a person's license is revoked under G.S. 20-138.5(d), the Division may conditionally restore the license of that person after it has been revoked for at least 10 years after ~~the completion of any sentence imposed by the court,~~conviction if the person provides the Division with satisfactory proof of all of the following:

(1) In the 10 years immediately preceding the person's application for a restored license, the person has not been convicted in North Carolina or in any other state or federal court of a motor vehicle offense, an alcohol beverage control law offense, a drug law offense, or any other criminal offense.

(2) The person ~~is not currently a user of alcohol, unlawfully using any controlled substance, or has not used alcohol or unlawfully used controlled substances since the person's conviction and is not currently~~ is not currently a user of alcohol, unlawfully using any controlled substance, or has not used alcohol or unlawfully used controlled substances since the person's conviction and is not currently an excessive user of prescription drugs."

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

