

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 1185

Short Title: Habitual DWI-Reinstatement Petition/10 Yrs. (Public)

Sponsors: Representatives Sutton; Harrison and Lucas.

Referred to: Ways and Means/Broadband Connectivity, if favorable, Judiciary III.

April 8, 2009

A BILL TO BE ENTITLED

AN ACT TO ALLOW AN INDIVIDUAL CONVICTED OF HABITUAL DRIVING WHILE
IMPAIRED TO BE ELIGIBLE TO PETITION FOR A HEARING TO RESTORE
DRIVING PRIVILEGES AFTER TEN YEARS WITHOUT ANY TRAFFIC OR
CRIMINAL CONVICTIONS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-138.5(d) reads as rewritten:

"§ 20-138.5. **Habitual impaired driving.**

...

(d) A person convicted under this section shall have his license permanently revoked. A person whose license is revoked pursuant to this section shall be eligible for reinstatement in the same manner as a person convicted of violating G.S. 20-138.1, if the person has not been convicted of any criminal or motor vehicle violations in the 10 years prior to an application for reinstatement and not sooner than 10 years after the completion of any sentence imposed by the court has been completed.

...."

SECTION 2. This act becomes effective December 1, 2009, and applies to applications for reinstatement that occur on or after that date.

