

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE DRS15125-MAF-320 (3/12)

Short Title: Limited Driving Privilege Changes.

(Public)

Sponsors: Senator Davis.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO MODIFY THE GUIDELINES FOR ISSUANCE OF A LIMITED DRIVING
3 PRIVILEGE BY THE COURTS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 20-21.1 reads as rewritten:

6 "(c) Compliance Period. – Upon petition to the court, the judge may determine the
7 effective date of the limited privilege, and the effective date shall be stated on the face of the
8 order.~~The following table sets out the period during which a person must comply with a~~
9 ~~revocation under G.S. 20-28(a) or G.S. 20-28.1 to be eligible for a limited driving privilege~~
10 ~~under this section:~~

11 Revocation Period	12 Compliance Period
13 1-Year	90 Days
14 2-Years	1-Year
15 Permanent	2-Years"

16 **SECTION 2.** G.S. 20-21.1(j) reads as rewritten:

17 "(j) Term and Reinstatement. – The term of a limited driving privilege issued under this
18 section is ~~the shorter of for a one-year one-year or the length of time remaining in the revocation~~
19 ~~period imposed under G.S. 20-28(a) or G.S. 20-28.1.~~ period. At the end of the term, the
20 petitioner may petition the court for an additional one-year term, and upon review of the
21 petitioner's current driving record and criminal history, the court may reissue the limited
22 privilege for an additional one-year term. The decision to extend the petitioner's limited driving
23 privilege for an additional term is in the discretion of the court. The limited privilege can be
24 renewed only twice. When the term of the limited driving privilege expires, the Division must
25 reinstate the person's license if the person meets all of the conditions listed in this subsection.
26 The Division may impose restrictions or conditions on the new license in accordance with
27 G.S. 20-7(e). The conditions are:

- 28 (1) Payment of the restoration fee as required under G.S. 20-7(i1).
- 29 (2) Providing proof of financial responsibility as required under G.S. 20-7(c1).
- 30 (3) Providing the proof required for reinstatement of a license under
31 G.S. 20-28(c1)."

32 **SECTION 3.** This act becomes effective December 1, 2009, and applies to limited
driving privileges issued on or after that date.

