

March 13, 2007

S 758. LIMITED DRIVING PRIVILEGES—DWLR. Filed 3/13/07. *TO ALLOW PERSONS WHO ARE CONVICTED OF CERTAIN DRIVING WHILE LICENSE REVOKED OFFENSES TO OBTAIN A LIMITED DRIVING PRIVILEGE.*

Enacts new GS 20-20.1 permitting issuance of limited driving privileges to persons whose NC drivers license is permanently revoked under GS 20-28(a) or 20-28.1. Sets out the standards under which limited driving privileges may be authorized and conditions that make a person ineligible for limited driving privileges. Limits the purposes for which limited driving privileges may be authorized to (1) travel to and from person's employment and in the course of employment, (2) necessary maintenance of the person's household, and (3) emergency medical care for the person or an immediate family member living in same household. Establishes standards for each purpose permitted, and requires a person applying for limited driving privileges to show proof of financial responsibility. Provides that the term of the limited driving privileges is one year. Amends GS 7A-305 to establish costs to be charged in a motion to obtain limited driving privileges. Effective December 1, 2007.

Intro. by Kerr.

GS 7A, 20

April 2, 2007

S 758. LIMITED DRIVING PRIVILEGES-DWLR. Filed 3/13/07. Senate committee substitute makes the following changes to 1st edition. Makes technical changes only.

May 8, 2007

S 758. LIMITED DRIVING PRIVILEGE—DWLR (NEW). Filed 3/13/07. Senate committee substitute makes the following changes to 2nd edition. Modifies proposed GS 20-20.1 as follows. Allows a person whose license has been revoked for one-year, two-years, or permanently to apply for a limited driving privilege (previously applied only to a person with a permanent revocation). Adds the following conditions to be met in order to be eligible for a limited driving privilege: (1) the person must have complied with the revocation for 90 days for a one-year revocation, for one year for a two-year revocation, and for two years for a permanent revocation; (2) the revocation period for the underlying offense has expired; and (3) GS 20-9(e) (prohibiting the issuance of a license to a person suffering from physical or mental disability or disease making them unable to control a vehicle, or to persons who are unable to understand highway warning or direction signs) and GS 20-9(f) (a person's license has been canceled, suspended, or revoked in another jurisdiction based on factors that would allow cancellation, suspension, or revocation in North Carolina) do not prohibit the Division of Motor Vehicles (DMV) from issuing the person a license.

Allows a person to apply for a limited driving privilege by filing a petition in the district court in the county of the person's residence (previously proposed language required a motion in district court in the county of the person's residence as reflected by the DMV's records). Removes the requirement that the limited driving privilege specify the geographic boundaries within which the person may drive, if the person is required to drive during nonstandard working hours as a condition of employment. Provides that a limited driving privilege that is not authorized by the statute or that does not contain the restrictions required by law is invalid. Requires a person applying for a limited driving privilege to provide the court with proof of financial responsibility acceptable under GS 20-16.1(g) and to maintain the financial responsibility during the limited driving privilege period (removes other proposed language relating to financial responsibility and the forms it must take). Provides that the term of a limited driving privilege is the shorter of one year or the length of time remaining in the revocation period (previously proposed language set the term at one year). Requires the DMV to reinstate a person's license when the limited driving privilege expires if the person meets listed conditions (previously proposed language allowed a person to apply to DMV for a license when the limited driving privilege expired or after three years from the date of the permanent revocation). Removes the requirement that the clerk of court send a copy of any limited driving privilege issued in the county to DMV. Requires the additional \$100 filing fee to be remitted to the State Treasurer to support the General Court of Justice (previously, half of the fee was to be credited by the State Treasurer to the Highway Fund and the other half

to the Court Information Technology Fund). Removes the definitions of *nonfleet private passenger motor vehicle* and *offense involving impaired driving* and adds a definition of *underlying offense*. Makes technical changes and reorganizes the proposed statute.

July 31, 2007

SL 2007-293 (S 758). LIMITED DRIVING PRIVILEGE. *AN ACT TO ALLOW PERSONS WHO ARE CONVICTED OF CERTAIN DRIVING WHILE LICENSE REVOKED OFFENSES TO OBTAIN A LIMITED DRIVING PRIVILEGE.* Summarized in *Daily Bulletin* 3/13/07, 4/2/07, and 5/8/07. Enacted July 28, 2007. Effective December 1, 2007, and applies to revocations that occur before, on, or after that date.