

March 20, 2007

S 999. DWI TECHNICAL CORRECTIONS. Filed 3/20/07. *TO MAKE TECHNICAL CORRECTIONS TO THE MOTOR VEHICLE LAWS PERTAINING TO IMPAIRED DRIVING OFFENSES.*

Amends numerous sections of GS Chapter 20 as title indicates.

Intro. by Rand.

GS 20

April 26, 2007

S 999. DWI TECHNICAL CORRECTIONS. Filed 3/20/07. Senate committee substitute makes the following changes to 1st edition. Amends Section 33 of SL 2006-253 to provide that Section 6 (amending GS 8C-1, Rule 702, testimony by experts) becomes effective August 21, 2006, and applies to hearings held on or after August 21, 2006. Amends GS 20-19(i) to correct the reference to the statutes affected.

July 12, 2007

S 999. DWI TECHNICAL CORRECTIONS. Filed 3/20/07. House committee substitute makes the following changes to 2nd edition. Directs the Revisor of Statutes to substitute the term *law enforcement officer* everywhere the term *charging officer* appears in GS 20-16.5. Amends GS 20-28(a2)(1) (regarding driving after notification or failure to appear) to clarify that the statute applies to driving a motor vehicle. Amends GS 20-139.1(c1) to eliminate the requirement that results of a chemical analysis of blood or urine be reported on a form approved by the Attorney General's office. Amends GS 20-179.3(c) to delete language regarding the effective date of limited driving privileges. Amends GS 20-16.2(e) to add a 30-day time limit for the appeal of a license revocation for a willful refusal and to specify the districts where the petition may be filed. Modifies GS 20-179(c), making a technical correction that clarifies that only one grossly aggravating factor need be present in order to trigger the requirement that the judge impose Level Two punishment as prescribed under GS 20-179(h).

Effective December 1, 2007, and applying to offenses on or after that date, makes changes to GS 20-179(d), GS 20-16.2(c1), GS 20-17.8(a), and GS 20-179.3(g5) decreasing the blood alcohol concentration (BAC) level triggering certain penalties from 0.16 to 0.15 to correspond with BAC provisions in proposed new GS 20-179.3(c1). Enacts new GS 20-179.3(c1), and amends GS 20-17.8(a) and GS 20-179.3(g5), to provide that the result of a chemical analysis presented at trial is conclusive and may not be modified by any party, with or without the court's approval.

Proposed new GS 20-179.3(c1) provides that any limited driving privilege issued to a person who is convicted of a DWI and has a BAC of 0.15 or more at the time of the offense (1) does not become effective until at least 45 days after conviction; (2) must require that the person comply with the ignition interlock requirements; and (3) must restrict the individual to driving only to and from the individual's place of employment, school, court-ordered treatment program, and ignition interlock facility.

Effective December 1, 2007, and applying to offenses on or after that date, amends GS 7B-1903(b) to provide that a juvenile court may order secure custody for juveniles who have demonstrated that they are a danger to persons and are charged with DWI or driving with drugs or alcohol under age 21.

Provides that the Legislative Research Commission (LRC) may study dispositional alternatives for juveniles who are adjudicated delinquent for DWI or driving with alcohol or drugs under age 21. Requires the LRC to make a final report to the 2009 General Assembly upon its convening.

Except as otherwise indicated, effective when it becomes law. Conforms the title and makes technical changes.

September 4, 2007

SL 2007-493 (S 999). DWI TECHNICAL CORRECTIONS. AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE MOTOR VEHICLE LAWS PERTAINING TO IMPAIRED DRIVING OFFENSES AND TO PROVIDE THAT THE COURT MAY ORDER SECURE CUSTODY OF A

JUVENILE WHEN THE JUVENILE IS CHARGED WITH A VIOLATION OF EITHER DRIVING WHILE IMPAIRED OR UNDERAGE DRINKING AND TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE DISPOSITIONAL ALTERNATIVES FOR JUVENILES WHO ARE ADJUDICATED DELINQUENT FOR A DRIVING WHILE IMPAIRED OR AN UNDERAGE DRINKING VIOLATION. Summarized in *Daily Bulletin* 3/20/07, 4/26/07, and 7/12/07. Enacted August 30, 2007. Sections 26–31 are effective December 1, 2007. The remainder is effective August 30, 2007.