

April 7, 2009

**H 1185. HABITUAL DWI—REINSTATEMENT PETITION/10 YRS.** Filed 4/7/09. *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.*

Amends GS 20-138.5 as the title indicates. Effective December 1, 2009, and applies to applications for reinstatement that occur on or after that date.

**Intro. by Sutton.**

GS 20

May 7, 2009

**H 1185. HABITUAL DWI-REINSTATEMENT PETITION/ 10 YRS.** Filed 4/7/09. House committee substitute makes the following changes to 1st edition. Deletes the proposed amendment to GS 20-138.5(d), which provided that a person whose driver's license was revoked was eligible for reinstatement in the same manner as a person convicted of violating GS 20-138.1. Amends GS 20-19(c3) to provide that if a person's driver's license is reinstated after a habitual impaired driving conviction under GS 20-138.5, the Division of Motor Vehicles (DMV) must place a 0.00 alcohol restriction on the person's driver's license for a period of 7 years from the date of restoration. Amends GS 20-19(e3) to authorize the DMV to place reasonable restrictions or conditions on the person whose license has been restored for up to five years after the restoration. Adds a new subsection (e4) to GS 20-19 authorizing the DMV to restore the license of a person convicted of habitual impaired driving under GS 20-138.5, after the license has been revoked for at least 10 years after the completion of the sentence imposed by the court, providing that the person provides proof that: (1) in the 10 years immediately preceding the person's application to have the license restored, the person has not been convicted in North Carolina, any other state, or in federal court of a motor vehicle offense, a drug law offense, an alcohol beverage law offense, or any other criminal offense and (2) the person is not currently an excessive user of alcohol, drugs, or prescription drugs, or unlawfully using any controlled substance. Amends GS 20-19(k) to require a person whose license is restored pursuant to the act to provide proof of financial responsibility. Amends GS 20-17.8 to make the ignition interlock provisions applicable to a restoration of a license under this act. Makes conforming changes.

May 14, 2009

**H 1185. HABITUAL DWI-REINSTATEMENT PETITION/10YRS.** Filed 4/7/09. House amendment makes the following changes to 2nd edition. Amends GS 20-19 to provide that a person whose driver's license is revoked under GS 20-138.5(d) and who is seeking to have the license restored must provide satisfactory proof to the Division of Motor Vehicles that the person is not currently a user of alcohol or drugs, unlawfully using any controlled substance, or is an excessive user of prescription drugs (was, not currently an excessive user of alcohol, drugs, or prescription drugs, or unlawfully using any controlled substance).

June 30, 2009

**H 1185. HABITUAL DWI-REINSTATEMENT PETITION/10 YRS.** Filed 4/7/09. Senate committee substitute makes the following changes to 3rd edition. Amends proposed GS 20-19(e4)(2) to provide that a person must provide the Division of Motor Vehicles with proof that the person is not (1) currently a user of alcohol (was, alcohol and drugs), (2) unlawfully using any controlled substance, or (3) an excessive user of prescription drugs, in addition to meeting other specified conditions, to allow for the conditional restoration of a license revoked under GS 20-138.5(d) (habitual impaired driving).

July 8, 2009

**H 1185. HABITUAL DWI-REINSTATEMENT PETITION/10 YRS.** Filed 4/7/09. Senate amendments make the following changes to 4th edition. Amendment #1 changes the effective date of the act to July 1, 2010 (was, December 1, 2009). Amendment #2 provides that the act expires as of December 1, 2014.

July 27, 2009

**SL 2009-369 (H 1185). HABITUAL DWI—REINSTATEMENT PETITION/10 YEARS. AN ACT TO ALLOW AN INDIVIDUAL CONVICTED OF HABITUAL IMPAIRED DRIVING TO BE ELIGIBLE TO PETITION FOR A HEARING TO RESTORE DRIVING PRIVILEGES AFTER TEN YEARS WITHOUT ANY TRAFFIC OR CRIMINAL CONVICTIONS.** Summarized in *Daily Bulletin* 4/7/09, 5/7/09, 5/14/09, 6/30/09, and 7/8/09. Enacted July 27, 2009. Effective December 1, 2009.