

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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SENATE DRS45192-ML-134 (03/10)

Short Title: Habitual Impaired Driving/10-Year Period. (Public)

Sponsors: Senators J. Jackson, J. Davis, and Hartsell (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ADJUST HOW THE TEN-YEAR PERIOD FOR DETERMINING WHETHER
3 A PERSON COMMITTED THE OFFENSE OF HABITUAL IMPAIRED DRIVING IS
4 CALCULATED.
5 The General Assembly of North Carolina enacts:
6 SECTION 1. G.S. 20-138.5 reads as rewritten:
7 "§ 20-138.5. Habitual impaired driving.
8 (a) A person commits the offense of habitual impaired driving if ~~he~~the person drives
9 while impaired as defined in G.S. 20-138.1 and has been convicted of three or more offenses
10 involving impaired driving as defined in G.S. 20-4.01(24a) within 10 years of the date of this
11 offense. In calculating the 10-year period under this subsection, any period of time during
12 which the person was incarcerated in a local, state, or federal detention center, jail, or prison
13 shall be excluded.
14 ...
15 (d) A person convicted under this section shall have his or her license permanently
16 revoked.
17"
18 SECTION 2. This act becomes effective December 1, 2015, and applies to
19 offenses committed on or after that date.

