

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

H.B. 31
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HOUSE PRINCIPAL CLERK

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HOUSE DRH40015-ML-32 (01/22)

Short Title: 0.00 Alcohol Restriction-All DWI.

(Public)

Sponsors: Representative Jackson.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REQUIRE A 0.00 ALCOHOL CONCENTRATION RESTRICTION ON ALL
RESTORATION OF LICENSES REVOKED FOR AN IMPAIRED DRIVING OFFENSE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-17.8(b)(3)a. reads as rewritten:

"(b) Ignition Interlock Required. – Except as provided in subsection (l) of this section, when the Division restores the license of a person who is subject to this section, in addition to any other restriction or condition, it shall require the person to agree to and shall indicate on the person's drivers license the following restrictions for the period designated in subsection (c):

...
(3) An alcohol concentration restriction as follows:

a. If the ignition interlock system is required pursuant only to subdivision (a)(1) of this section, a requirement that the person not drive with an alcohol concentration of ~~0.040.00~~ or greater;"

SECTION 2. G.S. 20-19(c3)(1) reads as rewritten:

"(c3) Restriction; Revocations. – When the Division restores a person's drivers license which was revoked pursuant to G.S. 20-13.2(a), G.S. 20-23 when the offense involved impaired driving, G.S. 20-23.2, subdivision (2) of G.S. 20-17(a), subdivision (1) or (9) of G.S. 20-17(a) when the offense involved impaired driving, G.S. 20-138.5(d), or this subsection, in addition to any other restriction or condition, it shall place the applicable restriction on the person's drivers license as follows:

(1) For the first restoration of a drivers license for a person convicted of driving while impaired, G.S. 20-138.1, or a drivers license revoked pursuant to G.S. 20-23 or G.S. 20-23.2 when the offense for which the person's license was revoked prohibits substantially similar conduct which if committed in this State would result in a conviction of driving while impaired under G.S. 20-138.1, that the person not operate a vehicle with an alcohol concentration of ~~0.040.00~~ or more at any relevant time after the driving;"

SECTION 3. This act becomes effective December 1, 2015, and applies to offenses committed on or after that date.

