

GENERAL ASSEMBLY OF NORTH CAROLINA
1987 SESSION

CHAPTER 581
HOUSE BILL 761

AN ACT TO REPEAL THE 90-DAY FAILURE LAW AND MAKE A CHANGE IN
THE LAW REGULATING INFRACTIONS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-24(c) is amended by rewriting the first paragraph of that subsection, which paragraph begins with the language 'For the purpose of' and ends with the language 'the driving record of the defendant.' to read: "For the purpose of this Article the term 'conviction' shall mean a final conviction of a criminal offense or a determination that a person is responsible for an infraction. Also for the purpose of this Article an order of forfeiture of cash in the full amount of a bond required by Article 26 of Chapter 15A of the General Statutes, which forfeiture has not been vacated, shall be equivalent to a conviction."

Sec. 2. G.S. 20-7.2 is repealed.

Sec. 3. G.S. 20-24.2 is amended by designating the existing section as subsection (a) and adding a new subsection (b) to read:

"(b) The reporting requirement of this section and the revocation mandated by G.S. 20-24.1 do not apply to offenses in which an order of forfeiture of a cash bond is entered and reported to the Division pursuant to G.S. 20-24."

Sec. 4. G.S. 20-24.1(b)(1) is rewritten to read:

"(1) disposes of the charge in the trial division in which he failed to appear when the case was last called for trial or hearing; or".

Sec. 5. G.S. 20-181, which establishes the penalty for failure to dim headlights, is amended by inserting "may, upon a determination of responsibility for the offense, be required to pay a penalty of not more than ten dollars (\$10.00)" in place of "shall, upon conviction thereof, be fined not more than ten dollars (\$10.00) or imprisoned more than 10 days."

Sec. 6. Sections 1 and 2 of this act are effective upon ratification and shall apply only to offenses committed on or after that date. Section 3 of this act shall be effective upon ratification, and shall apply to offenses committed on or after that date but revocation orders entered under G.S. 20-24.1 in cases in which bail and collateral deposited to secure a defendant's appearance is forfeited shall be rescinded by the Division as soon as is reasonably possible. Sections 4 and 5 are effective October 1, 1987, and shall apply only to offenses committed on or after that date.

In the General Assembly read three times and ratified this the 9th day of July, 1987.