

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 182

Short Title: Limited Driving Privilege for Speeding.

(Public.)

Sponsors: Representatives Brown; Holmes and Weatherly.

Referred to: Judiciary.

February 9, 1989

A BILL TO BE ENTITLED

AN ACT TO PERMIT A TRIAL JUDGE TO ISSUE A LIMITED DRIVING
PRIVILEGE IN ALL CASES REQUIRING THE MANDATORY SUSPENSION
OF A DRIVERS LICENSE FOR EXCESSIVE SPEEDING.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-16.1(b)(1) reads as rewritten:

"(b)(1) Upon a ~~first~~ conviction ~~only~~ of violating subsection (a), the trial judge may when feasible allow a limited driving privilege or license to the person convicted for proper purposes reasonably connected with the health, education and welfare of the person convicted and his family. For purposes of determining whether conviction is a first conviction, no prior offense occurring more than seven years before the date of the current offense shall be considered. The judge may impose upon such limited driving privilege any restrictions as in his discretion are deemed advisable including, but not limited to, conditions of days, hours, types of vehicles, routes, geographical boundaries and specific purposes for which limited driving privilege is allowed. Any such limited driving privilege allowed and restrictions imposed thereon shall be specifically recorded in a written judgment which shall be as near as practical to that hereinafter set forth and shall be signed by the trial judge and shall be affixed with the seal of the court and shall be made a part of the records of the said court. A copy of said judgment shall be transmitted to the Division of Motor Vehicles along with any drivers license in the possession of the person convicted and a notice of the conviction. Such permit issued hereunder shall be valid for 30 days from the date of issuance by trial court. Such permit shall constitute a valid license to operate motor vehicles of the class or type that would be allowed by the person's license if it were not currently revoked upon the streets and

1 highways of this or any other state in accordance with the restrictions noted thereon and
2 shall be subject to all provisions of law relating to drivers license, not by their nature,
3 rendered inapplicable."

4 Sec. 2. This act is effective upon ratification.