

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 534

Short Title: Stop Indefinite PJC's/DWI Cases.

(Public)

Sponsors: Representatives Rhodes; Barbee, Brown, N. Crawford, Decker, Gardner, Hege, Holmes, Howard, Justus, Kerr, Ligon, Lilley, Sizemore, Tallent, and R. Thompson.

Referred to: Judiciary.

March 13, 1989

A BILL TO BE ENTITLED

AN ACT TO ALLOW THE DIVISION OF MOTOR VEHICLES TO CONSIDER A PRAYER FOR JUDGMENT CONTINUED IN A DWI CASE AS A FINAL CONVICTION AFTER SIXTY DAYS FROM THE DATE IT IS ENTERED.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-24(c) reads as rewritten:

"(c) 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.

In addition to the foregoing provisions and for the purpose of this Article, a third or subsequent prayer for judgment continued within any five-year period or any prayer for judgment continued for driving while impaired, G.S. 20-138.1, after 60 days from the date it is ordered shall be considered as a final conviction and to this end all orders entering prayer for judgments continued entered by the courts shall be reported to the Division of Motor Vehicles."

Sec. 2. This act shall become effective October 1, 1989, and shall apply to any prayer for judgment continued ordered on or after that effective date.