

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 251*

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

(Public)

Sponsors: Senators Simpson; Carpenter and Hardin.

Referred to: Judiciary I.

February 22, 1989

A BILL TO BE ENTITLED

1 AN ACT TO ALLOW THE DIVISION OF MOTOR VEHICLES TO CONSIDER A
2 PRAYER FOR JUDGMENT CONTINUED IN A DWI CASE AS A FINAL
3 CONVICTION AFTER SIXTY DAYS FROM THE DATE IT IS ENTERED.
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5 The General Assembly of North Carolina enacts:

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

7 "(c) For the purpose of this Article the term 'conviction' shall mean a final conviction
8 of a criminal offense or a determination that a person is responsible for an infraction.
9 Also for the purpose of this Article an order of forfeiture of cash in the full amount of a
10 bond required by Article 26 of Chapter 15A of the General Statutes, which forfeiture
11 has not been vacated, shall be equivalent to a conviction.

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

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