

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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HOUSE BILL 1204

Short Title: Restore DL After Foreign Judgments.

(Public)

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Sponsors: Representatives Culpepper; and Hardaway.

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Referred to: Judiciary IV.

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April 15, 1999

A BILL TO BE ENTITLED

1 AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO RESTORE A  
2 DRIVERS LICENSE THAT HAS BEEN SUSPENDED DUE TO  
3 NONCOMPLIANCE WITH A FOREIGN JUDGMENT UNDER CERTAIN  
4 CIRCUMSTANCES.  
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6 The General Assembly of North Carolina enacts:

7 Section 1. G.S. 20-279.13 reads as rewritten:

8 "**§ 20-279.13. Suspension for nonpayment of judgment; ~~exceptions.~~ exceptions and**  
9 **appeals.**

10 (a) The Commissioner, upon the receipt of a certified copy of a judgment, which  
11 has remained unsatisfied for a period of 60 days, shall forthwith suspend the license and  
12 any nonresident's operating privilege of any person against whom such judgment was  
13 rendered, except as hereinafter otherwise provided in this section and in G.S. 20-279.16.

14 (b) The Commissioner shall not, however, revoke or suspend the license of an  
15 owner or driver if the insurance carried by him was in a company which was authorized  
16 to transact business in this State and which subsequent to an accident involving the owner  
17 or operator and prior to settlement of the claim therefor went into liquidation, so that the  
18 owner or driver is thereby unable to satisfy the judgment arising out of the accident.

19 (c) If the judgment creditor consents in writing, in such form as the Commissioner  
20 may prescribe, that the judgment debtor be allowed license or nonresident's operating

1 privilege, the same may be allowed by the Commissioner, in his discretion, for six  
2 months from the date of such consent and thereafter until such consent is revoked in  
3 writing notwithstanding default in the payment of such judgment, or of any installments  
4 thereof prescribed in G.S. 20-279.16.

5 (d) The Commissioner shall restore any license or nonresident's operating  
6 privilege suspended following the nonpayment of a foreign judgment upon satisfactory  
7 proof that the owner was not operating or present within the motor vehicle at the time of  
8 an accident outside of this State and the owner had in effect a motor vehicle liability  
9 policy as defined in G.S. 20-279.21 covering the motor vehicle at the time of the  
10 accident."

11 Section 2. This act is effective when it becomes law.