

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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HOUSE BILL 1204
Committee Substitute Favorable 4/28/99

Short Title: Restore DL After Foreign Judgments.

(Public)

Sponsors:

Referred to:

April 15, 1999

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE ISSUANCE OF A DRIVERS LICENSE
REGARDLESS OF MOTOR VEHICLE OWNER'S NONCOMPLIANCE WITH A
FOREIGN JUDGMENT UNDER CERTAIN CIRCUMSTANCES.

The General Assembly of North Carolina enacts:

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

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

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

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

(b1) The Commissioner shall not refuse to issue a license or nonresident's operating privilege on account of the nonpayment of a foreign judgment arising out of an accident

1 outside of this State upon satisfactory proof that the owner was not operating or present
2 within the motor vehicle at the time of the accident and the owner had in effect a motor
3 vehicle liability policy as defined in G.S. 20-279.21 covering the motor vehicle at the
4 time of the accident.

5 (c) If the judgment creditor consents in writing, in such form as the Commissioner
6 may prescribe, that the judgment debtor be allowed license or nonresident's operating
7 privilege, the same may be allowed by the Commissioner, in his discretion, for six
8 months from the date of such consent and thereafter until such consent is revoked in
9 writing notwithstanding default in the payment of such judgment, or of any installments
10 thereof prescribed in G.S. 20-279.16."

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