

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2005

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SENATE DRS75031-LK-27 (1/27)

Short Title: DWI-Zero Alcohol When Transporting Child. (Public)

Sponsors: Senator Brock.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT A PERSON COMMITS THE OFFENSE OF  
IMPAIRED DRIVING WHEN OPERATING A MOTOR VEHICLE WHILE  
TRANSPORTING A PERSON SEVENTEEN YEARS OF AGE OR UNDER  
WITH ANY ALCOHOL IN HIS BLOOD.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 20-138.1(a) reads as rewritten:

"(a) Offense. – A person commits the offense of impaired driving if he drives any vehicle upon any highway, any street, or any public vehicular area within this State:

(1) While under the influence of an impairing substance; ~~or~~

(2) After having consumed sufficient alcohol that he has, at any relevant time after the driving, an alcohol concentration of 0.08 or ~~more~~ more;

or

(3) While transporting a person 17 years of age or less after having consumed sufficient alcohol that he has, at any relevant time after driving, any alcohol in his blood."

**SECTION 2.** This act becomes effective December 1, 2005, and applies to offenses committed on or after that date.