

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

H

2

HOUSE BILL 297
Committee Substitute Favorable 4/13/21

Short Title: DMV Active Duty Military Exemptions.

(Public)

Sponsors:

Referred to:

March 16, 2021

1 A BILL TO BE ENTITLED
2 AN ACT PROVIDING AN ADDITIONAL DEFENSE TO DRIVING WITH AN EXPIRED
3 LICENSE AND WAIVING THE LATE FEE FOR RENEWING AN EXPIRED LICENSE
4 FOR PERSONS DEPLOYED ON ACTIVE MILITARY DUTY.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.(a)** G.S. 20-35 is amended by adding a new subsection to read:

7 "(d) Defense for Active Duty Military. – A person may not be found responsible for
8 driving a motor vehicle with an expired drivers license if, when tried for that offense, the person
9 provides verifiable written proof of deployment and establishes the following:

10 (1) The person was deployed on active military duty when the drivers license
11 expired.

12 (2) The person obtained a renewed drivers license within 30 days after returning
13 from deployment."

14 **SECTION 1.(b)** This section becomes effective December 1, 2021, and applies to
15 offenses committed on or after that date.

16 **SECTION 2.** G.S. 20-88.03 reads as rewritten:

17 **"§ 20-88.03. Late fee; motor vehicle registration.**

18 (a) Late Fee. – In addition to the applicable fees required under this Article for the
19 registration of a motor vehicle and any interest assessed under G.S. 105-330.4, the Division shall
20 charge a late fee according to the following schedule to a person who pays the applicable
21 registration fee required under this Article after the registration expires:

22 (1) If the registration has been expired for less than one month, a late fee of fifteen
23 dollars (\$15.00).

24 (2) If the registration has been expired for one month or greater, but less than two
25 months, a late fee of twenty dollars (\$20.00).

26 (3) If the registration has been expired for two months or greater, a late fee of
27 twenty-five dollars (\$25.00).

28 (a1) Waiver. – The Division shall waive the late fee assessed under subsection (a) of this
29 section against a person who establishes the following:

30 (1) The person was deployed as a member of the Armed Forces of the United
31 States when the registration expired.

32 (2) The person obtained a renewed registration within 30 days after the
33 deployment ended.

34"

35 **SECTION 3.** Except as otherwise provided, this act becomes effective October 1,
36 2021.

