

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 297

Short Title: Differentiated Drivers License.

(Public)

Sponsors: Representatives Buchanan; and Bowman.

Referred to: Judiciary II.

March 25, 1991

A BILL TO BE ENTITLED

AN ACT TO REQUIRE A COLOR DIFFERENTIATED DRIVERS LICENSE BE
ISSUED TO A PERSON CONVICTED OF AN IMPAIRED DRIVING OR
CONTROLLED SUBSTANCE VIOLATION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-7 is amended by adding a new subsection to read:

"(n1) Any person whose drivers license, commercial drivers license, or other privilege to operate a motor vehicle in this State has been revoked or canceled pursuant to G.S. 20-13.2(b) or G.S. 20-17.4(a1) shall be reissued only a drivers or commercial drivers license of a distinctive color, as determined by the Commissioner.

The Commissioner may restore the drivers license in its original color if the person does the following and provides satisfactory proof to the Commissioner:

(1) a. That the person has obtained a substance abuse assessment from an area mental health agency, its designated agent, or private facility licensed by the State for the treatment of alcoholism and substance abuse.

b. If the assessing agency recommended that the person participate in a treatment program:

1. That the person participated in a treatment program;

2. That the person executed a Release of Information authorizing the treatment agency to report the person's completion of the treatment program to the Commissioner; and

- 1 3. That the treatment agency reported his completion of the
2 treatment program to the Commissioner.
- 3 (2) From the date the person's license was reissued in a distinctive color,
4 the person was not convicted in North Carolina or any other state or
5 federal jurisdiction for an offense involving the manufacture, sale,
6 distribution, or possession of a controlled substance; and
- 7 (3) a. The person has undergone a random drug test, or a series of
8 random drug tests, during the period the person possesses a drivers
9 license of a distinctive color and the test or tests were negative for the
10 presence of controlled substances, as defined in G.S. 90-87(5), or their
11 metabolites, unless the person showed that the controlled substances
12 were lawfully administered as part of professional medical treatment.
- 13 b. In order to meet the requirements of subdivision a., the
14 Commissioner shall notify the person when the random drug
15 tests are required and the results of the tests shall be submitted
16 to the Commissioner.
- 17 c. In order to meet the requirements of subdivision a., the costs of
18 testing shall be borne by the person seeking to have his license
19 reissued in the original color."

20 Sec. 2. This act becomes effective January 1, 1992.