

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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SENATE BILL 417

Short Title: Habitual Impaired Driving/10-Year Period. (Public)

Sponsors: Senators J. Jackson, J. Davis, Hartsell (Primary Sponsors); Hise, Lee, Randleman, and Sanderson.

Referred to: Rules and Operations of the Senate.

March 25, 2015

A BILL TO BE ENTITLED

AN ACT TO ADJUST HOW THE TEN-YEAR PERIOD FOR DETERMINING WHETHER
A PERSON COMMITTED THE OFFENSE OF HABITUAL IMPAIRED DRIVING IS
CALCULATED.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-138.5 reads as rewritten:

"§ 20-138.5. Habitual impaired driving.

(a) A person commits the offense of habitual impaired driving if ~~he~~the person drives while impaired as defined in G.S. 20-138.1 and has been convicted of three or more offenses involving impaired driving as defined in G.S. 20-4.01(24a) within 10 years of the date of this offense. In calculating the 10-year period under this subsection, any period of time during which the person was incarcerated in a local, state, or federal detention center, jail, or prison shall be excluded.

...

(d) A person convicted under this section shall have his or her license permanently revoked.

...."

SECTION 2. This act becomes effective December 1, 2015, and applies to offenses committed on or after that date.

