

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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HOUSE BILL 350

Short Title: Restore Driving Privileges/Competency. (Public)

Sponsors: Representatives Farmer-Butterfield, Richardson, Hurley, and R. Turner (Primary Sponsors).

For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Transportation, if favorable, Judiciary II.

March 26, 2015

A BILL TO BE ENTITLED

AN ACT TO DIRECT THE DIVISION OF MOTOR VEHICLES TO RESTORE THE DRIVERS LICENSE OF A PERSON ADJUDICATED TO BE RESTORED TO COMPETENCY.

The General Assembly of North Carolina enacts:

SECTION 1. Article 2 of Chapter 20 of the General Statutes is amended by adding a new section to read:

"§ 20-17.1A. Restoration of license for person adjudicated to be restored to competency.

If otherwise eligible under G.S. 20-7 and any other applicable provision of law, the Division shall restore the drivers license of a person adjudicated to be restored to competency under G.S. 35A-1130 upon receiving notice from the clerk of court in which the adjudication is made. Nothing in this section shall be construed as requiring the Division to restore the drivers license of a person if (i) the person's drivers license was revoked because of a conviction or other act requiring revocation and (ii) the person has not met the requirements set forth in this Article for restoration of the person's drivers license."

SECTION 2. G.S. 35A-1130(d) reads as rewritten:

"(d) If the clerk or jury finds by a preponderance of the evidence that the ward is competent, the clerk shall enter an order adjudicating that the ward is restored to competency. Upon such adjudication, the ward is authorized to manage his or her affairs, make contracts, control and sell his or her property, both real and personal, and exercise all rights as if he or she had never been adjudicated incompetent. In addition, the clerk shall send a certified copy of the order adjudicating that the ward is restored to competency to the Division of Motor Vehicles."

SECTION 3. This act becomes effective July 1, 2015.

