

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 404

Short Title: Felony Driving Without License.

(Public)

Sponsors: Representatives Privette; and Brown.

Referred to: Judiciary III.

March 28, 1991

A BILL TO BE ENTITLED

1 AN ACT TO MAKE IT A FELONY TO DRIVE WITHOUT A LICENSE AFTER A
2 LICENSE HAS BEEN SUSPENDED OR REVOKED FOR AN IMPAIRED
3 DRIVING OR CONTROLLED SUBSTANCE VIOLATION.
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5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 20-28 is amended by adding a new subsection to read:

7 "(b1) Notwithstanding any other provisions of this section, any person whose
8 drivers license, including a commercial drivers license, has been suspended or revoked,
9 for a limited time or permanently, due to a conviction for an impaired driving or
10 controlled substance violation, who drives any motor vehicle on the highways or public
11 vehicular areas of this State, while their license is suspended or revoked, shall be guilty
12 of a Class J felony and shall be imprisoned for not less than 90 days and fined not less
13 than two thousand dollars (\$2,000). A person sentenced under this subsection may not
14 receive a suspended sentence or be placed on probation. The actual time of the sentence
15 imposed under this subsection shall not be reduced for good time, gain time, or by early
16 parole. Upon receipt of a record of conviction under this subsection, the Division shall
17 impose an additional disqualification period equal to the period for which the drivers
18 license was suspended or revoked when this subsection was violated."

19 Sec. 2. This act becomes effective January 1, 1992, and applies to offenses
20 committed on or after that date.