

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 90

Short Title: "Desert Storm" MV License Renewals.

(Public)

Sponsors: Senators Pollard, Bryan; Allran, Barnes, Blackmon, Carpenter, Carter, Cochran, Daniel, Daughtry, Forrester, Hartsell, Murphy, Plexico, Raynor, Shaw, Sherron, Simpson, and Tally.

Referred to: Transportation.

February 18, 1991

A BILL TO BE ENTITLED

1 AN ACT TO PROVIDE FOR A NINETY-DAY PERIOD OF TIME FOR THE
2 RENEWAL OF EXPIRED DRIVERS LICENSES OF MILITARY PERSONNEL
3 DEPLOYED IN SUPPORT OF "OPERATION DESERT STORM."
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5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 20-7(f) reads as rewritten:

7 "(f) The driver's licenses issued under this section shall automatically expire on
8 the birthday of the licensee in the fourth year following the year of issuance; and no new
9 license shall be issued to any operator after the expiration of his license until such
10 operator has again passed the examination specified in this section. Any operator may at
11 any time within 60 days prior to the expiration of his license apply for a new license and
12 if the applicant meets the requirements of this Article, the Division shall issue a new
13 license to him. A new license issued within 60 days prior to the expiration of an
14 applicant's old license or within 12 months thereafter shall automatically expire four
15 years from the date of the expiration of the applicant's old license.

16 Any person serving in the armed forces of the United States on active duty and
17 holding a valid driver's license properly issued under this section and stationed outside
18 the State of North Carolina may renew his license by making application to the Division
19 by mail. Any other person, except a nonresident as defined in this Article, who holds a
20 valid driver's license issued under this section and who is temporarily residing outside
21 North Carolina, may also renew by making application to the Division by mail. For
22 purposes of this section 'temporarily' shall mean not less than 30 days continuous

1 absence from North Carolina. In either case, the Division may waive the examination
2 and color photograph ordinarily required for the renewal of a driver's license, and may
3 impose in lieu thereof such conditions as it may deem appropriate to each particular
4 application; provided that such license shall expire 30 days after licensee returns to
5 North Carolina, and such license shall be designated as temporary.

6 Any person serving in the armed forces of the United States on active duty and any
7 member of the North Carolina National Guard or North Carolina Air National Guard on
8 active duty who holds a drivers license issued pursuant to this section who was
9 deployed outside the State in support of 'Operation Desert Storm' on or after August 6,
10 1990, shall have 90 days from the date of that person's return to the State to renew a
11 drivers license that expired during the deployment. This period shall not exceed two
12 years from the original scheduled expiration date of the drivers license. During this
13 period the drivers license shall be valid for all purposes. In any proceedings in which
14 the validity of the drivers license is at issue, a copy of the person's military orders
15 specifying the deployment shall be sufficient evidence to prove the drivers license
16 validity during the period.

17 Provided further, that no person who applies for the renewal of his driver's license
18 shall be required to take a written examination or road test as a part of any such
19 examination unless such person has been convicted of a traffic violation or had prayer
20 for judgment continued with respect to any traffic violation within a four-year period
21 immediately preceding the date of such person's renewal application or unless such
22 person suffers from a mental or physical condition which impairs his ability to operate a
23 motor vehicle.

24 Provided further, that no person who applies for the renewal of his driver's license
25 and who must take the written examination pursuant to this section shall be issued a
26 renewed license unless such person has furnished proof that he is financially
27 responsible. Proof of financial responsibility shall be in one of the following forms:

- 28 (1) A written certificate or electronically-transmitted facsimile thereof
29 from any insurance carrier duly authorized to do business in this State
30 certifying that there is in effect a nonfleet private passenger motor
31 vehicle liability policy for the benefit of the person required to furnish
32 proof of financial responsibility. The certificate or facsimile shall state
33 the effective date and expiration date of the nonfleet private passenger
34 motor vehicle liability policy and shall state the date that the certificate
35 or facsimile is issued. The certificate or facsimile shall remain
36 effective proof of financial responsibility for a period of 30
37 consecutive days following the date the certificate or facsimile is
38 issued but shall not in and of itself constitute a binder or policy of
39 insurance or
- 40 (2) A binder for or policy of nonfleet private passenger motor vehicle
41 liability insurance under which the applicant is insured, provided that
42 the binder or policy states the effective date and expiration date of the
43 nonfleet private passenger motor vehicle liability policy.

1 The provisions of the preceding paragraph do not apply to applicants who do not
2 own currently registered motor vehicles and who do not operate nonfleet private
3 passenger motor vehicles that are owned by other persons and that are not insured under
4 commercial motor vehicle liability insurance policies. In such cases, the applicant shall
5 sign a written certificate to that effect. Such certificate shall be furnished by the
6 Division and may be incorporated into the license application form. Any material
7 misrepresentation made by such person on such certificate shall be grounds for
8 suspension of that person's license for a period of 90 days.

9 For the purpose of this subsection, the term 'nonfleet private passenger motor
10 vehicle' has the definition ascribed to it in Article 40 of General Statute Chapter 58.

11 The Commissioner may require that certificates required by this subsection be on a
12 form approved by the Commissioner.

13 Nothing in this subsection precludes any person from showing proof of financial
14 responsibility in any other manner authorized by Articles 9A and 13 of this Chapter."

15 Sec. 2. This act is effective upon ratification.