

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 117

Short Title: Modify Two DMV Definitions.

(Public)

Sponsors: Senators Gulley, Hoyle, Horton, Kerr, Martin of Pitt, and Rand.

Referred to: Judiciary.

February 17, 1997

A BILL TO BE ENTITLED

AN ACT TO MODIFY THE DEFINITIONS OF "OUT-OF-STATE DRIVING CONVICTION" AND "MOPED" USED IN THE MOTOR VEHICLE LAWS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-4.01(4a) reads as rewritten:

"(4a) Conviction. – A conviction for an offense committed in North Carolina or another state:

a. In-State. When referring to an offense committed in North Carolina, the term means any of the following:

1. A final conviction of a criminal offense, including a no contest plea.
2. A determination that a person is responsible for an infraction, including a no contest plea.
3. An unvacated forfeiture of cash in the full amount of a bond required by Article 26 of Chapter 15A of the General Statutes.
4. A third or subsequent prayer for judgment continued within any five-year period.

b. Out-of-State. When referring to an offense committed outside North Carolina, the term means any of the following:

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- 1 1. An unvacated adjudication of ~~guilt.~~ guilt, including a no
2 contest plea.
3 2. A determination that a person has violated or failed to
4 comply with the law in a court of original jurisdiction or
5 an authorized administrative tribunal.
6 3. An unvacated forfeiture of bail or collateral deposited to
7 secure the person's appearance in court.
8 4. A violation of a condition of release without bail,
9 regardless of whether or not the penalty is rebated,
10 suspended, or probated."

11 Section 2. G.S. 20-4.01(27)d1. reads as rewritten:

12 "d1. Moped. —~~Vehicles having~~ A vehicle that has two or three wheels
13 and operable pedals and equipped with a motor which that does not
14 exceed 50 cubic centimeters piston displacement and cannot
15 propel the vehicle at a speed greater than 20 miles per hour on a
16 level surface."

17 Section 3. Section 1 of this act becomes effective November 1, 1997, and
18 applies to offenses committed on or after that date. The remaining sections of this act are
19 effective when they become law.