

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2005

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HOUSE BILL 2881  
Committee Substitute Favorable 6/29/06  
Committee Substitute #2 Favorable 7/19/06  
Fourth Edition Engrossed 7/27/06

Short Title: Identity Theft.

(Public)

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Sponsors:

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Referred to:

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June 19, 2006

A BILL TO BE ENTITLED

AN ACT TO PROTECT THE IDENTITY OF INDIVIDUALS BY AUTHORIZING  
THE TAKING OF PHOTOGRAPHS FOR MOTOR VEHICLE VIOLATIONS OF  
FAILING TO PRODUCE A LICENSE OR LEARNER'S PERMIT TO ANY LAW  
ENFORCEMENT OFFICER REQUESTING IT FOR LAWFUL PURPOSES  
PURSUANT TO G.S. 20-29, AND VIOLATIONS OF THE DRIVERS LICENSE  
AND LEARNER'S PERMIT PROVISIONS IN G.S. 20-30.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 15A-502(b) reads as rewritten:

"(b) This section does not authorize the taking of photographs or fingerprints when the offense charged is a Class 2 or 3 misdemeanor under Chapter 20 of the General Statutes, "~~Motor Vehicles.~~"Vehicles," except that photographs may be taken for violations of G.S. 20-29 or any of the provisions of G.S. 20-30. Notwithstanding subsection (a) of this section, a photograph of a person from the neck up may be taken for law enforcement records when the person is issued a citation, but not arrested, for violating G.S. 20-29 or any of the provisions of G.S. 20-30. The law enforcement officer is authorized to take the photograph at the location where the suspected offense has occurred. The photograph must be included with any citation or warrant issued and may not be used for any other purpose than to confirm the identity of the alleged offender. Upon a final decision on any such citation or warrant by the Court, the photograph shall be destroyed."

**SECTION 2.** This act becomes effective December 1, 2006, and applies to offenses committed on or after that date.