

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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HOUSE BILL 735
Committee Substitute Favorable 4/28/15
Committee Substitute #2 Favorable 4/30/15

Short Title: Reinstatement of Driving Privileges.

(Public)

Sponsors:

Referred to:

April 15, 2015

A BILL TO BE ENTITLED

1 AN ACT TO DIRECT THE DIVISION OF ADULT CORRECTION OF THE
2 DEPARTMENT OF PUBLIC SAFETY TO DEVELOP A PROCESS WHEREBY AN
3 INMATE WHOSE DRIVING PRIVILEGES HAVE BEEN SUSPENDED OR REVOKED
4 FOR A CONVICTION OF DRIVING WHILE IMPAIRED OR DRIVING UNDER THE
5 INFLUENCE MAY COMPLETE THE REQUIREMENTS NECESSARY FOR
6 REINSTATEMENT OF THE INMATE'S DRIVING PRIVILEGES PRIOR TO THE
7 INMATE'S RELEASE.
8

9 The General Assembly of North Carolina enacts:

10 **SECTION 1.** Development of Process. – The Division of Adult Correction of the
11 Department of Public Safety, in collaboration with the North Carolina Sheriffs' Association,
12 Statewide Misdemeanant Confinement Program, the Administrative Office of the Courts, the
13 Division of Motor Vehicles, and the Department of Health and Human Services, Division of
14 Mental Health, Developmental Disabilities, and Substance Abuse Services, shall develop a
15 process whereby an inmate whose driving privileges have been suspended or revoked for a
16 conviction of driving while impaired or driving under the influence may complete the
17 requirements necessary for reinstatement of the inmate's driving privileges prior to the inmate's
18 release, including any substance abuse assessments and substance abuse education and
19 treatment. The Division of Adult Correction may require an inmate participating in the process
20 established under this section to submit to a drug test if the Division of Adult Correction
21 reasonably suspects the inmate is engaged in the illegal use of controlled substances. An inmate
22 who tests positive for a controlled substance as a result of a drug test under this section is
23 ineligible to continue to participate in the process established under this section. Nothing in this
24 section shall be construed as requiring the Division of Motor Vehicles to reinstate an inmate's
25 driving privileges prior to or upon the inmate's release.

26 **SECTION 2.** Report and Deadline. – On or before October 1, 2015, the Division of
27 Adult Correction shall submit a report to the Joint Legislative Oversight Committee on Justice
28 and Public Safety on the status of the development of the process required by this act. The
29 Division of Adult Correction shall implement the process required by this act by no later than
30 January 1, 2016.

31 **SECTION 3.** Effective Date. – This act is effective when it becomes law.

