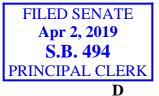
GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2019



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SENATE BILL DRS35183-MW-69B

Short Title:	Revocation of License/Penalty/Costs.	(Public)
Sponsors:	Senators Britt, McKissick, and Mohammed (Primary Sponsors).	
Referred to:		

1		A BILL TO BE ENTITLED		
2	AN ACT TO AMEND THE LAWS GOVERNING THE REVOCATION OF DRIVERS			
3	LICENSES FOR FAILURE TO PAY FINE, PENALTY, OR COSTS.			
4	The General Assembly of North Carolina enacts:			
5	SECT	FION 1. G.S. 20-24.1 reads as rewritten:		
6	"§ 20-24.1. Rev	ocation for failure to appear or pay fine, penalty or costs for motor vehicle		
7	offen	ses.		
8	(a) The D	Division must revoke the driver's license of a person upon receipt of notice from		
9	a court that the p	person was charged with a motor vehicle offense and he:one of the following		
10	occurs:			
11	(1)	failed The person failed to appear, after being notified to do so, when the case		
12		was called for a trial or hearing; or<u>hearing.</u>		
13	(2)	failed The person failed to pay a fine, penalty, or court costs ordered by the		
14		court.court, and there is a court order at sentencing supported by findings of		
15		fact that the person is able to pay and there is good cause to suspend the		
16		person's license if the person fails to pay.		
17		rders entered under the authority of this section are effective on the sixtieth day		
18	after the order is mailed or personally delivered to the person.			
19		ense revoked under this section remains revoked until the person whose license		
20		hone of the following occurs:		
21	(1)	disposes The person disposes of the charge in the trial division in which he		
22		the person failed to appear when the case was last called for trial or hearing;		
23		or <u>hearing.</u>		
24	(2)	demonstrates The person demonstrates to the court that he the person is not		
25		the person charged with the offense; oroffense.		
26	(3)	pays The person pays the penalty, fine, or costs fine or penalty ordered by the		
27		court; or<u>court.</u>		
28	(4)	demonstrates The person demonstrates to the court that the his-failure to pay		
29		the penalty, fine, or costs fine or penalty was not willful and that he the person		
30		is making a good faith effort to pay or that the penalty, fine, or costs fine or		
31		penalty should be remitted.		
32	<u>(5)</u>	For revocations under subdivision (a)(2) of this section, 12 months have		
33	T T ' (C	passed since revocation.		
34		otice from the court that the person has satisfied the conditions of this subsection		
35	applicable to his case, the Division must restore the person's license as provided in subsection			
36	(c). In addition, if the person whose license is revoked is not a resident of this State, the Division			



1 may notify the driver licensing agency in the person's state of residence that the person's license 2 to drive in this State has been revoked. 3 (b1) A defendant must be afforded an opportunity for a trial or a hearing within a 4 reasonable time of the defendant's appearance. Upon motion of a defendant, the court must order 5 that a hearing or a trial be heard within a reasonable time. 6 If the person satisfies the conditions of subsection (b) that are applicable to his-the (c) 7 person's case before the effective date of the revocation order, the revocation order and any 8 entries on his-the person's driving record relating to it shall be deleted and the person does not 9 have to pay the restoration fee set by G.S. 20-7(i1). For all other revocation orders issued 10 pursuant to this section, G.S. 50-13.12 or G.S. 110-142.2, the person must pay the restoration fee 11 fee, unless the person is indigent, and satisfy any other applicable requirements of this Article 12 before the person may be relicensed. 13 To facilitate the prompt return of licenses and to prevent unjustified charges of driving (d) 14 while license revoked, the clerk of court, upon request, must give the person a copy of the notice 15 it sends to the Division to indicate that the person has complied with the conditions of subsection 16 (b) applicable to his the person's case. If the person complies with the condition before the 17 effective date of the revocation, the notice must indicate that the person is eligible to drive if he 18 the person is otherwise validly licensed. As used in this section and in G.S. 20-24.2, the word offense includes crimes and 19 (e) 20 infractions created by this Chapter." 21 **SECTION 2.** G.S. 20-24.2 reads as rewritten: 22 "§ 20-24.2. Court to report failure to appear or pay fine, penalty or costs. 23 The court must report to the Division the name of any person charged with a motor 24 vehicle offense under this Chapter who:who fails to do one of the following: 25 Fails to appear Appear to answer the charge as scheduled, unless within 20 (1)26 days after the scheduled appearance, he the person either appears in court to 27 answer the charge or disposes of the charge pursuant to G.S. 7A-146; 28 orG.S. 7A-146. 29 Fails to pay Pay a fine, penalty, or costs within 40 days of the date specified (2)30 in the court's judgment. 31" 32 **SECTION 3.** This act is effective when it becomes law.