

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 1551

Short Title: Liability Insurance Proof Change.

(Public)

Sponsors: Representatives R. Hunter, Bowen, Bowie, Grady, McAllister, McLaughlin, Robinson; Sexton, Bowman and Church.

Referred to: Judiciary II.

May 25, 1994

A BILL TO BE ENTITLED

AN ACT TO ELIMINATE THE REQUIREMENT OF PROOF OF FINANCIAL
RESPONSIBILITY UPON RENEWAL OF A DRIVERS LICENSE.

The General Assembly of North Carolina enacts:

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

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

Any person serving in the armed forces of the United States on active duty and holding a valid drivers license properly issued under this section and stationed outside the State of North Carolina may renew his license by making application to the Division by mail. Any other person, except a nonresident as defined in this Article, who holds a valid drivers license issued under this section and who is temporarily residing outside North Carolina, may also renew by making application to the Division by mail. For purposes of this section 'temporarily' shall mean not less than 30 days continuous absence from North Carolina. In either case, the Division may waive the examination and color photograph ordinarily required for the renewal of a drivers license, and may

1 impose in lieu thereof such conditions as it may deem appropriate to each particular
2 application; provided that such license shall expire 30 days after the licensee returns to
3 North Carolina, and such license shall be designated as temporary.

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

11 Provided further, that no person who applies for the renewal of his drivers license
12 ~~and who must take the written examination~~ pursuant to this section shall be issued a
13 ~~renewed license unless such person has furnished the~~ required to furnish proof of financial
14 responsibility specified in subsection (c1)."

15 Sec. 2. G.S. 20-7(c1), as amended by Chapter 368 of the 1993 Session Laws,
16 reads as rewritten:

17 "(c1) Insurance. – The Division may not issue a drivers license to a person until the
18 person has furnished proof of financial responsibility. Proof of financial responsibility
19 shall be in one of the following forms:

20 (1) A written certificate or electronically-transmitted facsimile thereof
21 from any insurance carrier duly authorized to do business in this State
22 certifying that there is in effect a nonfleet private passenger motor
23 vehicle liability policy for the benefit of the person required to furnish
24 proof of financial responsibility. The certificate or facsimile shall state
25 the effective date and expiration date of the nonfleet private passenger
26 motor vehicle liability policy and shall state the date that the certificate
27 or facsimile is issued. The certificate or facsimile shall remain
28 effective proof of financial responsibility for a period of 30
29 consecutive days following the date the certificate or facsimile is
30 issued but shall not in and of itself constitute a binder or policy of
31 insurance.

32 (2) A binder for or policy of nonfleet private passenger motor vehicle
33 liability insurance under which the applicant is insured, provided that
34 the binder or policy states the effective date and expiration date of the
35 nonfleet private passenger motor vehicle liability policy.

36 The preceding provisions of this subsection do not apply to applicants who do not
37 own currently registered motor vehicles and who do not operate nonfleet private
38 passenger motor vehicles that are owned by other persons and that are not insured under
39 commercial motor vehicle liability insurance policies. In such cases, the applicant shall
40 sign a written certificate to that effect. Such certificate shall be furnished by the
41 Division and may be incorporated into the license application form. Any material
42 misrepresentation made by such person on such certificate shall be grounds for
43 suspension of that person's license for a period of 90 days.

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

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

5 The requirement of furnishing proof of financial responsibility does not apply to a
6 person who applies for a renewal of ~~his-his or her~~ drivers license ~~and who is not required to~~
7 ~~take the written examination.~~ license.

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

10 Sec. 3. Section 1 of this act becomes effective October 1, 1994, and expires
11 December 31, 1994. Section 2 of this act becomes effective January 1, 1995. Section 3
12 of this act is effective upon ratification.