

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

H.B. 212
Feb 27, 2023
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40115-MLfa-67

Short Title: DL Restoration/DWI Treatment Court.

(Public)

Sponsors: Representative Clampitt.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO CONDITIONALLY
3 RESTORE THE DRIVERS LICENSES OF PERSONS WHO HAVE SUCCESSFULLY
4 COMPLETED A DRUG TREATMENT OR DWI TREATMENT COURT PROGRAM
5 AND TO DIRECT THE DIVISION OF MOTOR VEHICLES TO ESTABLISH A PILOT
6 PROGRAM TO ASSIST PERSONS RECEIVING A CONDITIONAL RESTORATION
7 WITH THE COST OF INSTALLING AN IGNITION INTERLOCK SYSTEM.

8 The General Assembly of North Carolina enacts:

9 **SECTION 1.** G.S. 20-19 is amended by adding a new subsection to read:

10 "(d1) Notwithstanding any other provision of law, when a person's license is revoked for
11 an impaired driving offense and the person is sentenced pursuant to G.S. 20-179, the Division
12 may conditionally restore the person's license after it has been revoked for at least one year if the
13 person (i) provides the Division with a certificate of graduation from a Drug Treatment or Driving
14 While Impaired (DWI) Treatment Court Program established pursuant to Article 62 of Chapter
15 7A of the General Statutes, (ii) provides the Division with a letter of recommendation from the
16 presiding judge of the Drug Treatment or DWI Treatment Court, and (iii) pays, in addition to any
17 other applicable fees, a fee of twenty-five dollars (\$25.00). The twenty-five dollar (\$25.00) fee
18 shall be deposited in the Highway Fund. If the Division restores the person's license, it shall place
19 all of the following restrictions, requirements, and conditions on the person for the duration of
20 the original revocation period:

21 (1) A requirement that all registered vehicles owned by that person be equipped
22 with a functioning ignition interlock system in accordance with
23 G.S. 20-17.8(c1).

24 (2) A restriction that the person may operate only a motor vehicle equipped with
25 a functioning ignition interlock system of a type approved by the
26 Commissioner that is set to prohibit driving with an alcohol concentration of
27 greater than 0.00.

28 (3) A requirement that the person personally activate the ignition interlock system
29 before driving the motor vehicle.

30 In addition, the Division may place other reasonable restrictions, requirements, and
31 conditions on the person for the duration of the original revocation period."

32 **SECTION 2.(a)** Pilot Project. – The Division of Motor Vehicles (Division) shall
33 develop and implement a pilot project to cover costs for persons installing ignition interlock
34 systems on their vehicles in accordance with G.S. 20-19(d1), as enacted by Section 1 of this act.
35 In order to qualify for funding under this pilot project, the person seeking funding shall provide
36 proof satisfactory to the Division of the person's inability to pay the costs associated with



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1 installing an ignition interlock system on the person's vehicle. The Division may establish any
2 other reasonable restrictions, requirements, and conditions it deems necessary on persons seeking
3 funding under this pilot project.

4 **SECTION 2.(b)** Report. – The Division shall submit a report to the 2024 Regular
5 Session of the 2023 General Assembly upon its convening detailing the total amount of funds
6 spent under the pilot project, the number of persons who received funds under the pilot project,
7 and the average amount of funds provided per person under the pilot project.

8 **SECTION 2.(c)** Appropriation. – There is appropriated from the Highway Fund to
9 the Division the sum of two hundred fifty thousand dollars (\$250,000) in nonrecurring funds for
10 the 2023-2024 fiscal year to be used for the pilot project established under subsection (a) of this
11 section. Any unspent or unencumbered funds remaining upon the expiration of the pilot project
12 shall revert to the Highway Fund.

13 **SECTION 2.(d)** Expiration. – This section expires June 30, 2024.

14 **SECTION 3.** This act becomes effective July 1, 2023.