

NORTH CAROLINA GENERAL ASSEMBLY
1969 SESSION

CHAPTER 1125
SENATE BILL 817

1 AN ACT TO AMEND G.S. 20-17.1 PERTAINING TO REVOCATION OF MOTOR
2 VEHICLE OPERATOR'S LICENSE OF MENTAL INCOMPETENTS, ALCOHOLICS
3 AND HABITUAL USERS OF NARCOTIC DRUGS.
4

5 The General Assembly of North Carolina do enact:
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7 **Section 1.** G.S. 20-17.1 as the same appears in the 1965 Replacement Volume 1C
8 of the General Statutes is hereby amended by rewriting to read as follows:

9 **"G.S. 20-17.1. Revocation of license of mental incompetents, alcoholics and habitual users**
10 **of narcotic drugs.** (a) The Commissioner, upon receipt of notice that any person has been
11 legally adjudged incompetent or has been admitted as an in-patient to an institution for the
12 treatment of the mentally ill or has entered an institution for the treatment of alcoholism or drug
13 addiction shall forthwith make inquiry into the facts for the purpose of determining whether
14 such person is competent to operate a motor vehicle. Unless the Commissioner is satisfied that
15 such person is competent to operate a motor vehicle with safety to persons and property, he
16 shall revoke such person's driving privilege. No driving privilege revoked hereunder shall be
17 restored unless and until the Commissioner is satisfied that the person is competent to operate a
18 motor vehicle with safety to persons and property.

19 (b) If any person shall be adjudged as incompetent for any reason, the Clerk of the
20 Court in which any such adjudication is made shall forthwith send a certified copy of abstract
21 thereof to the Commissioner.

22 (c) The person in charge of every institution of any nature for the care and treatment of
23 the mentally ill, the care and treatment of alcoholics or habitual users of narcotic drugs shall
24 forthwith report to the Commissioner in sufficient detail for accurate identification the
25 admission of every person.

26 (d) It is the intent of this Section that the provisions herein shall be carried out by the
27 Commissioner of Motor Vehicles for the safety of the motoring public. The Commissioner
28 shall have authority to make such agreements as are necessary with the persons in charge of
29 every institution of any nature for the care and treatment of the mentally ill and of alcoholics or
30 habitual users of narcotic drugs, to effectively carry out the duty hereby imposed and the person
31 in charge of the institutions described above shall cooperate with and assist the Commissioner
32 of Motor Vehicles.

33 (e) Notwithstanding the provisions of G.S. 8-53, G.S. 8-53.2, G.S. 122-8.1 and
34 G.S. 122-8.2, the person or persons in charge of any institution as set out in subparagraph (c)
35 hereinabove shall furnish such information as may be required for the effective enforcement of
36 this Section. Information furnished to the Department of Motor Vehicles as provided herein
37 shall be confidential and the Commissioner of Motor Vehicles shall be subject to the same
38 penalties and is granted the same protection as is the Department, institution or individual
39 furnishing such information. No criminal or civil action may be brought against any person or
40 agency who shall provide or submit to the Commissioner of Motor Vehicles or his authorized
41 agents the information as required herein.

42 (f) Revocations under this Section may be reviewed as provided in G.S. 20-9(g)(4)."

43 **Sec. 2.** All laws and clauses of laws in conflict with this Act are hereby repealed.

1 **Sec. 3.** This Act shall become effective upon its ratification.
2 In the General Assembly read three times and ratified, this the 30th day of June,
3 1969.