

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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HOUSE BILL 1022

Short Title: Unlawful Use of Drivers License.

(Public)

Sponsors: Representatives Allen; and Barefoot.

Referred to: Judiciary I.

April 14, 1999

A BILL TO BE ENTITLED

AN ACT TO PROHIBIT THE UNLAWFUL USE OF A DRIVERS LICENSE, A LEARNER'S PERMIT, OR A SPECIAL IDENTIFICATION CARD ISSUED BY THE DIVISION OF MOTOR VEHICLES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-30 reads as rewritten:

"§ 20-30. Violations of license or learner's permit provisions.

It shall be unlawful for any person to commit any of the following acts:

- (1) To display or cause to be displayed or to have in possession a driver's license or learner's permit, knowing the same to be fictitious or to have been canceled, revoked, suspended or altered.
- (2) To counterfeit, sell, lend to, or knowingly permit the use of, by one not entitled thereto, a driver's license or learner's permit.
- (3) To display or to represent as one's own a license or learner's permit not issued to the person so displaying same.
- (4) To fail or refuse to surrender to the Division upon demand any driver's license or learner's permit that has been suspended, canceled or revoked as provided by law.
- (5) To use a false or fictitious name or give a false or fictitious address in any application for a driver's license or learner's permit, or any renewal

1 or duplicate thereof, or knowingly to make a false statement or
2 knowingly conceal a material fact or otherwise commit a fraud in any
3 such application, or for any person to procure, or knowingly permit or
4 allow another to commit any of the foregoing acts. Any license or
5 learner's permit procured as aforesaid shall be void from the issuance
6 thereof, and any moneys paid therefor shall be forfeited to the State.
7 Any person, firm, or corporation violating the provisions of this
8 subdivision shall be guilty of a Class H felony.

9 (6) To photostat or otherwise reproduce a driver's license or learner's permit
10 or to possess a driver's license or learner's permit which has been
11 photostated or otherwise reproduced, unless such photostat or other
12 reproduction was authorized by the Commissioner.

13 (7) To sell or offer for sale any reproduction or facsimile or simulation of a
14 driver's license or learner's permit. The provisions of this subdivision
15 shall not apply to agents or employees of the Division while acting in
16 the course and scope of their employment. Any person, firm or
17 corporation violating the provisions of this subsection shall be guilty of
18 a Class I felony.

19 (8) To possess more than one commercial drivers license or to possess a
20 commercial drivers license and a regular drivers license. Any
21 commercial drivers license other than the one most recently issued is
22 subject to immediate seizure by any law enforcement officer or judicial
23 official. Any regular drivers license possessed at the same time as a
24 commercial drivers license is subject to immediate seizure by any law
25 enforcement officer or judicial official.

26 (9) To present, display, or use a drivers license or learner's permit which
27 contains a false or fictitious name in conjunction with the commission
28 or attempted commission of a felony. Any person, firm, or corporation
29 violating the provisions of this subdivision shall be guilty of a Class H
30 felony."

31 Section 2. G.S. 20-37.8 reads as rewritten:

32 **"§ 20-37.8. Fraudulent use prohibited.**

33 (a) It shall be unlawful for any person to use a false or fictitious name or give a
34 false or fictitious address in any application for a special identification card or knowingly
35 to make a false statement or knowingly conceal a material fact or otherwise commit a
36 fraud in any such application or to obtain or possess more than one such card for a
37 fraudulent purpose or knowingly to permit or allow another to commit any of the
38 foregoing acts.

39 (b) It shall be unlawful for any person to present, display, or use a special
40 identification card which contains a false or fictitious name in connection with the
41 commission or attempted commission of a felony.

42 (c) A violation of subsection (a) or subsection (b) of this section shall constitute a
43 ~~Class 2 misdemeanor.~~ Class H felony."

1 Section 2. This act becomes effective December 1, 1999.