

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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HOUSE BILL 611
Second Edition Engrossed 5/7/13

Short Title: Suspension Removed When Eligibility Met. (Public)

Sponsors: Representative W. Brawley (Primary Sponsor).
For a complete list of Sponsors, see Bill Information on the NCGA Web Site.

Referred to: Judiciary Subcommittee B.

April 9, 2013

1 A BILL TO BE ENTITLED
2 AN ACT TO REQUIRE THE DIVISION OF MOTOR VEHICLES TO EXPUNGE
3 SUSPENSIONS AND REVOCATIONS ENTERED ON A LIMITED PERMITTEE OR
4 PROVISIONAL LICENSEE'S DRIVING RECORD IF THE STUDENT PROVIDES THE
5 REQUIRED DOCUMENTATION TO THE DIVISION THAT THE STUDENT MEETS
6 THE ELIGIBILITY REQUIREMENTS AND IF THE LIMITED PERMITTEE OR
7 PROVISIONAL LICENSEE HAS NEVER HAD A PRIOR EXPUNCTION FROM THE
8 PERMITTEE'S DRIVING RECORD.

9 The General Assembly of North Carolina enacts:

10 **SECTION 1.** G.S. 20-13.2(c1) reads as rewritten:

11 "(c1) Upon receipt of notification from the proper school authority that a person no longer
12 meets the requirements for a driving eligibility certificate under G.S. 20-11(n), the Division
13 must expeditiously notify the person that his or her permit or license is revoked effective on the
14 tenth calendar day after the mailing of the revocation notice. The Division must revoke the
15 permit or license of that person on the tenth calendar day after the mailing of the revocation
16 notice. Notwithstanding subsection (d) of this section, the length of revocation must last for the
17 following periods:

18 (1) If the revocation is because of ineligibility for a driving eligibility certificate
19 under G.S. 20-11(n)(1), then the revocation shall last until the person's
20 eighteenth birthday.

21 (2) If the revocation is because of ineligibility for a driving eligibility certificate
22 under G.S. 20-11(n1), then the revocation shall be for a period of one year.

23 For a person whose permit or license was revoked due to ineligibility for a driving
24 eligibility certificate under G.S. 20-11(n)(1), the Division must restore a person's permit or
25 license before the person's eighteenth birthday, if the person submits to the Division one of the
26 following:

27 (1) A high school diploma or its equivalent.

28 (2) A driving eligibility certificate as required under G.S. 20-11(n).

29 If the Division restores a permit or license that was revoked due to ineligibility for a driving
30 eligibility certificate under G.S. 20-11(n)(1), any record of revocation or suspension shall be
31 expunged by the Division from the person's driving record. The Division shall not expunge a
32 suspension or revocation record if a person has had a prior expunction from the person's driving
33 record for any reason.

34 For a person whose permit or license was revoked due to ineligibility for a driving
35 eligibility certificate under G.S. 20-11(n1), the Division shall restore a person's permit or



1 license before the end of the revocation period, if the person submits to the Division a driving
2 eligibility certificate as required under G.S. 20-11(n).

3 Notwithstanding any other law, the decision concerning whether a driving eligibility
4 certificate was properly issued or improperly denied shall be appealed only as provided under
5 the rules adopted in accordance with G.S. 115C-12(28), 115D-5(a3), or 115C-566, whichever
6 is applicable, and may not be appealed under this Chapter."

7 **SECTION 2.** This act becomes effective December 1, 2013, and applies to
8 reinstatements occurring on or after that date.