

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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SENATE BILL 217
Judiciary II Committee Substitute Adopted 5/31/05
Third Edition Engrossed 6/1/05

Short Title: Drivers License Revocation for ABC Violation.

(Public)

Sponsors:

Referred to:

February 24, 2005

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR THE REVOCATION OF THE DRIVERS LICENSE OF ANY PERSON CONVICTED OF GIVING ALCOHOLIC BEVERAGES TO, OR AIDING AND ABETTING THE PURCHASE OR POSSESSION OF ALCOHOLIC BEVERAGES BY, AN UNDERAGE PERSON AND TO ALLOW FOR A LIMITED DRIVING PRIVILEGE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 18B-302(g) reads as rewritten:

"(g) Conviction Report Sent to Division of Motor Vehicles. – The court shall file a conviction report with the Division of Motor Vehicles indicating the name of the person convicted and any other information requested by the Division if the person is convicted ~~of~~ of any of the following:

- (1) A violation of subsection (e) or (f) of this ~~section; or~~ section.
- (2) A violation of ~~subdivision (e)(1)~~ subsection (c) of this section; or
- (3) A violation of subsection (b) of this section, if the violation occurred while the person was purchasing or attempting to purchase an alcoholic beverage.
- (4) A violation of subsection (a) of this section, if the violation occurred while the person was giving an alcoholic beverage to an underage person.

Upon receipt of a conviction report, the Division shall revoke the person's license as required by G.S. 20-17.3."

SECTION 2. G.S. 20-17.3 reads as rewritten:

"§ 20-17.3. Revocation for underage purchasers of alcohol.

The Division shall revoke for one year the driver's license of any person who has been convicted of violating any of the following:

- (1) ~~G.S. 18B-302(e)(1);~~ G.S. 18B-302(c), (e), or (f); or

- 1 (2) G.S. 18B-302(b), if the violation occurred while the person was
2 purchasing or attempting to purchase an alcoholic beverage.
3 (3) G.S. 18B-302(a), except that this subdivision shall only apply if the
4 violation occurred while the person was giving an alcoholic beverage
5 to an underage person.

6 If the person's license is currently suspended or revoked, then the revocation under this
7 section shall begin at the termination of that revocation. A person whose license is
8 revoked under this section for a violation of G.S. 18B-302(a) or G.S. 18B-302(c) shall
9 be eligible for a limited driving privilege under G.S. 20-179.3."

10 **SECTION 3.** Chapter 18B of the General Statutes is amended by adding a
11 new section to read:

12 **"§ 18B-302.2. Notification of penalties; loss of drivers license for certain offenses.**

13 Each ABC Store and each person that sells alcoholic beverages shall display or
14 cause to be displayed warning signs that inform the public that it is a crime to give an
15 alcoholic beverage to an underage person, that it is a crime to aid and abet an underage
16 person who purchases an alcoholic beverage, and that the punishment for these offenses
17 includes the loss of driving privileges under G.S. 20-17.3. The Commission shall
18 develop the warning signs which shall be similar in size and design to those required
19 under G.S. 18B-808."

20 **SECTION 4.** This act becomes effective December 1, 2005, and applies to
21 offenses committed on or after that date.