

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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SENATE BILL 16
Judiciary II Committee Substitute Adopted 2/25/13

Short Title: Revoke License for Passing Stopped School Bus.

(Public)

Sponsors:

Referred to:

January 31, 2013

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT THE DIVISION OF MOTOR VEHICLES SHALL REVOKE
A PERSON'S DRIVERS LICENSE FOR PASSING A STOPPED SCHOOL BUS IN
VIOLATION OF G.S. 20-217.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-217 is amended by adding a new subsection to read:

"§ 20-217. **Motor vehicles to stop for properly marked and designated school buses in certain instances; evidence of identity of driver.**

...

(g1) The Division shall revoke the drivers license of any person convicted of an offense under subsection (a) of this section. Upon a first conviction of a misdemeanor under subsection (a) of this section, the revocation period shall be 30 days. Upon a second or subsequent conviction of a misdemeanor under subsection (a) of this section, the revocation period shall be 90 days. The Division shall revoke, for a period of one year, the drivers license of any person convicted of a Class I felony under this section. The Division shall revoke, for a period of two years, the drivers license of any person convicted of a Class H felony under this section. In the case of any conviction under this section, the licensee may apply to the sentencing court for a limited driving privilege, provided the operator's license has not also been revoked or suspended under any other provision of law. A limited driving privilege issued under this subsection shall be valid for the period of revocation in the same manner and under the same terms and conditions prescribed in G.S. 20-16.1(b). If the person's license is revoked or suspended under any other statute, the limited driving privilege issued pursuant to this subsection is invalid.

...."

SECTION 2. G.S. 20-217(e) reads as rewritten:

"(e) Except as provided in subsection (g) of this section, any person violating this section shall be guilty of a Class 1 misdemeanor. A person who violates subsection (a) of this section shall not receive a prayer for judgment continued under any circumstances. A person who violates subsection (a) of this section, and has a prior conviction within the preceding 12 months for violating subsection (a) of this section, shall not be eligible to enter a plea of guilty or no contest to a lesser included offense or to a substitute charge that carries a lesser punishment."

SECTION 3. This act becomes effective December 1, 2013, and applies to offenses committed on or after that date.

