

# 2014 Errata to 2013 Punishment Chart for North Carolina Crimes and Motor Vehicle Offenses

## Appendix C: Conviction-Based Driver's License Revocations

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Please replace “Appendix C: Conviction-Based Driver’s License Revocations” from the *2013 Punishment Chart for North Carolina Crimes and Motor Vehicle Offenses* with the following updated Appendix C. The specific updates are described below.

1. Two new offense descriptions have been inserted for G.S. 20-138.2 and fall at the beginning of the grid for that conviction statute.
2. For the first offense description for G.S. 20-138.2 on page 120 of the original grid, the words “with alcohol concentration of 0.06 or higher” have been inserted directly after the words “Driving a commercial motor vehicle while impaired . . .”
3. For the third, fourth, and fifth offense descriptions for G.S. 20-138.2 on page 121 of the original grid, the words “with alcohol concentration of 0.06 or higher” have been inserted directly after the words “DWI in a commercial motor vehicle . . .”
4. The first offense description for common law offense on page 126 of the original grid has been replaced with the following language: “Involuntary manslaughter resulting from the operation of a motor vehicle.”
5. The second offense description for common law offense on page 126 of the original grid has been replaced with the following language: “Out-of-state or federal conviction for involuntary manslaughter resulting from the operation of a motor vehicle.”
6. Some of the wording on the right margins for footnotes on pages 114, 118, 125, and 126 of the original grid had been inadvertently deleted. These pages have been corrected.

| Conviction Statute | Offense Description                                                                               | Revocation Statute                                                     | Length of Revocation                                                      | Number of Restorations | Alcohol Concentration Restriction under G.S. 20-19(c3) | Duration of G.S. 20-19(c3) Alcohol Concentration Restriction | Ignition Interlock (II) and Alcohol Concentration (AC) Restriction under G.S. 20-17.8 |  |
|--------------------|---------------------------------------------------------------------------------------------------|------------------------------------------------------------------------|---------------------------------------------------------------------------|------------------------|--------------------------------------------------------|--------------------------------------------------------------|---------------------------------------------------------------------------------------|--|
|                    |                                                                                                   |                                                                        |                                                                           |                        |                                                        |                                                              |                                                                                       |  |
| G.S. 14-31         | Secret assault with a deadly weapon using a motor vehicle                                         | G.S. 20-17(a)(11)                                                      | One year; G.S. 20-19(f)                                                   |                        |                                                        |                                                              |                                                                                       |  |
| G.S. 14-32(a)      | Assault with a deadly weapon with intent to kill, inflicting serious injury using a motor vehicle | G.S. 20-17(a)(11)                                                      | One year; G.S. 20-19(f)                                                   |                        |                                                        |                                                              |                                                                                       |  |
| G.S. 14-32(b)      | Assault with a deadly weapon, inflicting serious injury using a motor vehicle                     | G.S. 20-17(a)(11)                                                      | One year; G.S. 20-19(f)                                                   |                        |                                                        |                                                              |                                                                                       |  |
| G.S. 14-32(c)      | Assault with a deadly weapon with intent to kill using a motor vehicle                            | G.S. 20-17(a)(11)                                                      | One year; G.S. 20-19(f)                                                   |                        |                                                        |                                                              |                                                                                       |  |
| G.S. 14-32.1(e)(1) | Assault with a deadly weapon on a handicapped person using a motor vehicle                        | G.S. 20-17(a)(11)                                                      | One year; G.S. 20-19(f)                                                   |                        |                                                        |                                                              |                                                                                       |  |
| G.S. 14-33(c)(1)   | Assault with a deadly weapon using a motor vehicle                                                | G.S. 20-17(a)(11)                                                      | One year; G.S. 20-19(f)                                                   |                        |                                                        |                                                              |                                                                                       |  |
| G.S. 14-49(b),(b1) | Malicious use of an explosive device to damage property                                           | G.S. 20-17(a)(15)<br>G.S. 20-13.2(c2) (applicable to persons under 18) | One year; G.S. 20-19(f); G.S. 20-13.2(d) (applicable to persons under 18) |                        |                                                        |                                                              |                                                                                       |  |
| G.S. 14-69.1(c)    | False report of a bomb in a public building                                                       | G.S. 20-17(a)(15); G.S. 20-13.2(c2) (applicable to persons under 18)   | One year; G.S. 20-19(f); G.S. 20-13.2(d) (applicable to persons under 18) |                        |                                                        |                                                              |                                                                                       |  |

| Conviction Statute | Offense Description                                                                           | Revocation Statute                                                   | Length of Revocation                                                                        | Number of Restorations | Alcohol Concentration Restriction under G.S. 20-19(c3) | Duration of G.S. 20-19(c3) Alcohol Concentration Restriction | Ignition Interlock (II) and Alcohol Concentration (AC) Restriction under G.S. 20-17.8 | Length of Ignition Interlock Restriction |
|--------------------|-----------------------------------------------------------------------------------------------|----------------------------------------------------------------------|---------------------------------------------------------------------------------------------|------------------------|--------------------------------------------------------|--------------------------------------------------------------|---------------------------------------------------------------------------------------|------------------------------------------|
| G.S. 14-69.2(c)    | Perpetrating a hoax concerning a bomb in a public building                                    | G.S. 20-17(a)(15); G.S. 20-13.2(c2) (applicable to persons under 18) | One year; G.S. 20-19(f); G.S. 20-13.2(d) (applicable to persons under 18)                   |                        |                                                        |                                                              |                                                                                       |                                          |
| G.S. 14-72.5       | Second or subsequent conviction (within seven years) of larceny of motor fuel                 | G.S. 20-17(a)(16)                                                    | 90 days (second conviction);<br>Six months (third or subsequent conviction); G.S. 20-19(g2) |                        |                                                        |                                                              |                                                                                       |                                          |
| G.S. 14-269.2(b1)  | Possessing an explosive on educational property                                               | G.S. 20-17(a)(15); G.S. 20-13.2(c2) (applicable to persons under 18) | One year; G.S. 20-19(f); G.S. 20-13.2(d) (applicable to persons under 18)                   |                        |                                                        |                                                              |                                                                                       |                                          |
| G.S. 14-269.2(c1)  | Causing a minor to possess an explosive on educational property                               | G.S. 20-17(a)(15); G.S. 20-13.2(c2) (applicable to persons under 18) | One year; G.S. 20-19(f); G.S. 20-13.2(d) (applicable to persons under 18)                   |                        |                                                        |                                                              |                                                                                       |                                          |
| G.S. 18B-302(a1)   | Giving alcoholic beverages to person under 21                                                 | G.S. 20-17.3                                                         | One year; G.S. 20-17.3                                                                      |                        |                                                        |                                                              |                                                                                       |                                          |
| G.S. 18B-302(b)    | Underage purchase or attempt to purchase an alcoholic beverage                                | G.S. 20-17.3                                                         | One year; G.S. 20-17.3                                                                      |                        |                                                        |                                                              |                                                                                       |                                          |
| G.S. 18B-302(c)(1) | Underage person who aids or abets the gift or purchase of an alcoholic beverage to/by a minor | G.S. 20-17.3                                                         | One year; G.S. 20-17.3                                                                      |                        |                                                        |                                                              |                                                                                       |                                          |

1. G.S. 20-17.3 requires DMV to revoke for one year the driver's license of a person convicted of violating G.S. 18B-302(c). G.S. 18B-302(c) in turn renders it unlawful to aid or abet another in a violation of G.S. 18B-302(a), (a1) or (b). G.S. 18B-302(g) requires the court to file a conviction report with DMV if the person is convicted of a violation of G.S. 18B-302(a1), 18B-302(b), but only if the violation occurred while the person was purchasing or attempting to purchase an alcoholic beverage; or 18B-302(c), (e), or (f). Thus, it appears that a person's license may be revoked for aiding and abetting the gift to or purchase of alcoholic beverages to/by an underage person but not for sale to an underage person (prohibited by G.S. 18B-302(a)) or consumption by an underage person (prohibited by G.S. 18B-302(b)(3)).

| Conviction Statute | Offense Description                                                                                                                                                                                                                                                                                                     | Revocation Statute                          | Length of Revocation                       | Number of Restorations | Alcohol Concentration Restriction under G.S. 20-19(c3) | Duration of G.S. 20-19(c3) Alcohol Concentration Restriction | Ignition Interlock (II) and Alcohol Concentration (AC) Restriction under G.S. 20-17.8 |  | Length of Ignition Interlock Restriction |
|--------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|--------------------------------------------|------------------------|--------------------------------------------------------|--------------------------------------------------------------|---------------------------------------------------------------------------------------|--|------------------------------------------|
|                    |                                                                                                                                                                                                                                                                                                                         |                                             |                                            |                        |                                                        |                                                              |                                                                                       |  |                                          |
| G.S. 18B-302(c)(2) | Person over 21 who aids or abets the gift or purchase of an alcoholic beverage to/by a minor                                                                                                                                                                                                                            | G.S. 20-17.3                                | One year;<br>G.S. 20-17.3                  |                        |                                                        |                                                              |                                                                                       |  |                                          |
| G.S. 18B-302(e)    | Fraudulent use of identification <ul style="list-style-type: none"> <li>to enter or attempt to enter a place where alcoholic beverages are sold or consumed</li> <li>to obtain or attempt to obtain an alcoholic beverage</li> <li>to obtain or attempt to obtain permission to purchase alcoholic beverages</li> </ul> | G.S. 20-17.3                                | One year;<br>G.S. 20-17.3                  |                        |                                                        |                                                              |                                                                                       |  |                                          |
| G.S. 18B-302(f)    | Allowing use of identification by a person who violates or attempts to violate G.S. 18B-302(b)                                                                                                                                                                                                                          | G.S. 20-17.3                                | One year;<br>G.S. 20-17.3                  |                        |                                                        |                                                              |                                                                                       |  |                                          |
| G.S. 18B-401       | Transportation of an open bottle of fortified wine or spirituous liquor in passenger area                                                                                                                                                                                                                               | *Discretionary revocation: G.S. 20-16(a)(8) | Not more than six months;<br>G.S. 20-19(a) |                        |                                                        |                                                              |                                                                                       |  |                                          |
| G.S. 18B-406       | Transportation of unauthorized amount of alcoholic beverage                                                                                                                                                                                                                                                             | *Discretionary revocation: G.S. 20-16(a)(8) | Not more than six months;<br>G.S. 20-19(a) |                        |                                                        |                                                              |                                                                                       |  |                                          |

| Conviction Statute | Offense Description                                        | Revocation Statute                                                                                                                                                 | Length of Revocation                                                                                                | Number of Restorations | Alcohol Concentration Restriction under G.S. 20-19(c3) | Duration of G.S. 20-19(c3) Alcohol Concentration Restriction | Ignition Interlock (II) and Alcohol Concentration (AC) Restriction under G.S. 20-17.8 | Length of Ignition Interlock Restriction |
|--------------------|------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|------------------------|--------------------------------------------------------|--------------------------------------------------------------|---------------------------------------------------------------------------------------|------------------------------------------|
| G.S. 18B-111       | Transportation of a non-taxpaid alcoholic beverage         | *Discretionary revocation: G.S. 20-16(a)(8)                                                                                                                        | Not more than six months; G.S. 20-19(a)                                                                             |                        |                                                        |                                                              |                                                                                       |                                          |
| G.S. 20-12.1       | Impaired instruction                                       | *Discretionary revocation: G.S. 20-16(a)(8a)                                                                                                                       | Not more than one year; G.S. 20-19(c)                                                                               |                        |                                                        |                                                              |                                                                                       |                                          |
| G.S. 20-28(a)      | Driving while license revoked                              | G.S. 20-28(a)                                                                                                                                                      | First offense: One year;<br>Second offense: Two years;<br>Third or subsequent offense: Permanent;<br>G.S. 20-28(a)  |                        |                                                        |                                                              |                                                                                       |                                          |
| G.S. 20-28(a2)     | Driving after notification or failure to appear            | G.S. 20-28(a2)                                                                                                                                                     | First offense: One year;<br>Second offense: Two years;<br>Third or subsequent offense: Permanent;<br>G.S. 20-28(a2) |                        |                                                        |                                                              |                                                                                       |                                          |
| G.S. 20-28(d)      | Driving a commercial motor vehicle during disqualification | G.S. 20-28(d) provides for an additional disqualification period—not revocation of a regular license; Surrender of Class C license is not required (G.S. 20-24(a)) |                                                                                                                     |                        |                                                        |                                                              |                                                                                       |                                          |

| Conviction Statute | Offense Description                                                                                                                       | Revocation Statute                          | Length of Revocation                                                                                                           | Number of Restorations | Alcohol Concentration Restriction under G.S. 20-19(c3) | Duration of G.S. 20-19(c3) Alcohol Concentration Restriction | Ignition Interlock (II) and Alcohol Concentration (AC) Restriction under G.S. 20-17.8 | Length of Ignition Interlock Restriction |
|--------------------|-------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|------------------------|--------------------------------------------------------|--------------------------------------------------------------|---------------------------------------------------------------------------------------|------------------------------------------|
| G.S. 20-28.1       | Moving violation while license revoked                                                                                                    | G.S. 20-28.1                                | First revocation: One year;<br>Second revocation: Two years;<br>Third or subsequent revocation: Permanent;<br>G.S. 20-28.1 (b) |                        |                                                        |                                                              |                                                                                       |                                          |
| G.S. 20-30(1)      | Displaying or possessing any license or learner's permit known to be invalid                                                              | *Discretionary revocation: G.S. 20-16(a)(6) | Not more than one year; G.S. 20-19(c)                                                                                          |                        |                                                        |                                                              |                                                                                       |                                          |
| G.S. 20-30(2)      | Counterfeiting, selling, lending, or knowingly permitting the use of any driver's license or learner's permit by one not entitled thereto | *Discretionary revocation: G.S. 20-16(a)(6) | Not more than one year; G.S. 20-19(c)                                                                                          |                        |                                                        |                                                              |                                                                                       |                                          |
| G.S. 20-30(3)      | Displaying or representing as one's own a license not issued to the person displaying it                                                  | *Discretionary revocation: G.S. 20-16(a)(6) | Not more than one year; G.S. 20-19(c)                                                                                          |                        |                                                        |                                                              |                                                                                       |                                          |
| G.S. 20-30(5)      | Using or allowing others to use false names and addresses in license applications and renewals                                            | G.S. 20-17(a)(8) <sup>2</sup>               | One year; G.S. 20-19(f)                                                                                                        |                        |                                                        |                                                              |                                                                                       |                                          |

2. If a person falsely certifies to DMV pursuant to G.S. 20-9(i)(3) that he or she does not appear on the National Sex Offender Public Registry, that person violates G.S. 20-30 and DMV must immediately revoke his or her driver's license upon determining that the person does appear in the National Sex Offender Public Registry. G.S. 20-9(i)(3).

| Conviction Statute | Offense Description                                                                                                                | Revocation Statute                    | Length of Revocation        | Number of Restorations | Alcohol Concentration Restriction under G.S. 20-19(c3) | Duration of G.S. 20-19(c3) Alcohol Concentration Restriction | Ignition Interlock (II) and Alcohol Concentration (AC) Restriction under G.S. 20-17.8                                                                                                                                                     |          | Length of Ignition Interlock Restriction |
|--------------------|------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|-----------------------------|------------------------|--------------------------------------------------------|--------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|------------------------------------------|
|                    |                                                                                                                                    |                                       |                             |                        |                                                        |                                                              |                                                                                                                                                                                                                                           |          |                                          |
| G.S. 20-30(5)      | Making false statements, concealing material facts or otherwise committing a fraud in applying for a license or permit             | G.S. 20-17(a)(8)                      | One year;<br>G.S. 20-19(f)  |                        |                                                        |                                                              |                                                                                                                                                                                                                                           |          |                                          |
| G.S. 20-31         | Making a false affidavit or knowingly swearing or affirming falsely to any matter or thing required by the statutes to be sworn to | G.S. 20-17(a)(5);<br>G.S. 20-17(a)(8) | One year;<br>G.S. 20-19(f)  |                        |                                                        |                                                              |                                                                                                                                                                                                                                           |          |                                          |
| G.S. 20-136        | Unlawful possession of a motor vehicle with smoke screens                                                                          | G.S. 20-17(a)(3)                      | One year;<br>G.S. 20-19(f)  |                        |                                                        |                                                              |                                                                                                                                                                                                                                           |          |                                          |
| G.S. 20-138.1      | Impaired driving                                                                                                                   | G.S. 20-17(a)(2)                      | One year;<br>G.S. 20-19(c1) | First restoration      | 0.04                                                   | Three years                                                  | If alcohol concentration of 0.15 or more, II required with 0.04 AC restriction <sup>3</sup><br>If convicted of another impaired driving offense that occurred within seven years of current offense, II required with 0.00 AC restriction | One year |                                          |

3. If ignition interlock is required because the person had an alcohol concentration of 0.15 or more and the person also is convicted, based on the same set of circumstances, of (1) driving while impaired in a commercial vehicle in violation of G.S. 20-138.2, (2) driving while less than 21 years old after consuming alcohol or drugs in violation of G.S. 20-138.3, (3) death or serious injury by vehicle in violation of G.S. 20-141.4, or (4) manslaughter or negligent homicide based on impaired driving, the restriction must prohibit driving with an alcohol concentration of greater than 0.00. G.S. 20-17.8(b)(3)c.

| Conviction Statute | Offense Description                                                                                                                                                                                         | Revocation Statute       | Length of Revocation      | Number of Restorations           | Alcohol Concentration Restriction under G.S. 20-19(c3) | Duration of G.S. 20-19(c3) Alcohol Concentration Restriction | Ignition Interlock (II) and Alcohol Concentration (AC) Restriction under G.S. 20-17.8 |                | Length of Ignition Interlock Restriction |
|--------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|---------------------------|----------------------------------|--------------------------------------------------------|--------------------------------------------------------------|---------------------------------------------------------------------------------------|----------------|------------------------------------------|
|                    |                                                                                                                                                                                                             |                          |                           |                                  |                                                        |                                                              | II required, 0.00 AC                                                                  | AC Restriction |                                          |
| G.S. 20-138.1      | Impaired driving and the person has been convicted of another offense involving impaired driving that occurred within three years preceding the date of the current offense                                 | G.S. 20-17(a)(2)         | Four years; G.S. 20-19(d) | Second or subsequent restoration | 0.00                                                   | Three years                                                  | II required, 0.00 AC                                                                  |                | Three years                              |
| G.S. 20-138.1      | Impaired driving and the person has two or more previous offenses for which he or she has been convicted, one of which occurred within the five years immediately preceding the date of the current offense | G.S. 20-17(a)(2)         | Permanent; G.S. 20-19(e)  | Second or subsequent restoration | 0.00                                                   | Seven years                                                  | II required, 0.00 AC                                                                  |                | Seven years                              |
| G.S. 20-138.1      | Impaired driving sentenced at Aggravated Level One pursuant to G.S. 20-179(f3)                                                                                                                              | G.S. 20-17(a)(2)         | Permanent; G.S. 20-19(e)  | First restoration                | 0.04                                                   | Seven years                                                  | II required, 0.00 AC                                                                  |                | One year                                 |
| G.S. 20-138.1      | Impaired driving sentenced at Aggravated Level One pursuant to G.S. 20-179(f3)                                                                                                                              | G.S. 20-17(a)(2)         | Permanent; G.S. 20-19(e)  | Second or subsequent restoration | 0.00                                                   | Seven years                                                  | II required, 0.00 AC                                                                  |                | Seven years                              |
|                    | Out-of-state or federal DWI                                                                                                                                                                                 | G.S. 20-23; G.S. 20-23.2 | One year                  | First restoration                | 0.04                                                   | Three years                                                  | No II Requirement                                                                     |                | N/A                                      |

| Conviction Statute | Offense Description                                                                                                                                                                                                    | Revocation Statute       | Length of Revocation | Number of Restorations           | Alcohol Concentration Restriction under G.S. 20-19(c3) | Duration of G.S. 20-19(c3) Alcohol Concentration Restriction | Ignition Interlock (II) and Alcohol Concentration (AC) Restriction under G.S. 20-17.8 | Length of Ignition Interlock Restriction |
|--------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|----------------------|----------------------------------|--------------------------------------------------------|--------------------------------------------------------------|---------------------------------------------------------------------------------------|------------------------------------------|
|                    | Out-of-state or federal DWI and the person has been convicted of another offense involving impaired driving that occurred within the three years preceding the date of the current offense                             | G.S. 20-23; G.S. 20-23.2 | Four years           | Second or subsequent restoration | 0.00                                                   | Three years                                                  | No II Requirement                                                                     | N/A                                      |
|                    | Out-of-state or federal DWI and the person has two or more previous offenses for which he or she has been convicted, one of which occurred within the five years immediately preceding the date of the current offense | G.S. 20-23; G.S. 20-23.2 | Permanent            | Second or subsequent restoration | 0.00                                                   | Seven years                                                  | No II Requirement                                                                     | N/A                                      |
| G.S. 20-138.2      | Driving a commercial motor vehicle while impaired with alcohol concentration of 0.06 or higher                                                                                                                         | G.S. 20-17(a)(2)         | One year             | Any restoration                  | 0.00                                                   | Three years                                                  | No II Requirement                                                                     | N/A                                      |

| Conviction Statute | Offense Description                                                                                                                                                                                                                                                                       | Revocation Statute | Length of Revocation        | Number of Restorations | Alcohol Concentration Restriction under G.S. 20-19(c3) | Duration of G.S. 20-19(c3) Alcohol Concentration Restriction | Ignition Interlock (II) and Alcohol Concentration (AC) Restriction under G.S. 20-17.8 | Length of Ignition Interlock Restriction |
|--------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|-----------------------------|------------------------|--------------------------------------------------------|--------------------------------------------------------------|---------------------------------------------------------------------------------------|------------------------------------------|
| G.S. 20-138.2      | Driving a commercial motor vehicle while impaired with alcohol concentration of 0.06 or higher and person has been convicted of another offense involving impaired driving that occurred within three years preceding date of current offense                                             | G.S. 20-17(a)(2)   | Four years                  | Any restoration        | 0.00                                                   | Three years                                                  | No II Requirement                                                                     | N/A                                      |
| G.S. 20-138.2      | Driving a commercial motor vehicle while impaired with alcohol concentration of 0.06 or higher and the person has two or more previous offenses for which he or she has been convicted, one of which occurred within the five years immediately preceding the date of the current offense | G.S. 20-17(a)(2)   | Permanent;<br>G.S. 20-19(e) | Any restoration        | 0.00                                                   | Seven years                                                  | No II Requirement                                                                     | N/A                                      |
| G.S. 20-138.2      | Driving a commercial motor vehicle while impaired sentenced at Aggravated Level One pursuant to G.S. 20-179(f3)                                                                                                                                                                           | G.S. 20-17(a)(2)   | Permanent;<br>G.S. 20-19(e) | Any restoration        | 0.00                                                   | Seven years                                                  | No II Requirement                                                                     | N/A                                      |

| Conviction Statute | Offense Description                                                                                                                                                                                                                                                                               | Revocation Statute  | Length of Revocation | Number of Restorations | Alcohol Concentration Restriction under G.S. 20-19(c3) | Duration of G.S. 20-19(c3) Alcohol Concentration Restriction | Ignition Interlock (II) and Alcohol Concentration (AC) Restriction under G.S. 20-17.8 |                           | Length of Ignition Interlock Restriction |
|--------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|----------------------|------------------------|--------------------------------------------------------|--------------------------------------------------------------|---------------------------------------------------------------------------------------|---------------------------|------------------------------------------|
|                    |                                                                                                                                                                                                                                                                                                   |                     |                      |                        |                                                        |                                                              | No II Requirement                                                                     | Concentration Restriction |                                          |
| G.S. 20-138.2      | Out-of-state or federal DWI in a commercial motor vehicle with alcohol concentration of 0.06 or higher                                                                                                                                                                                            | G.S. 20-23; 20-23.2 | One year             | Any restoration        | 0.00                                                   | Three years                                                  | No II Requirement                                                                     |                           | N/A                                      |
|                    | Out-of-state or federal DWI in a commercial motor vehicle with alcohol concentration of 0.06 or higher and the person has been convicted of another offense involving impaired driving that occurred within the three years preceding the date of the current offense                             | G.S. 20-23; 20-23.2 | Four years           | Any restoration        | 0.00                                                   | Three years                                                  | No II Requirement                                                                     |                           | N/A                                      |
|                    | Out-of-state or federal DWI in a commercial motor vehicle with alcohol concentration of 0.06 or higher and the person has two or more previous offenses for which he or she has been convicted, one of which occurred within the five years immediately preceding the date of the current offense | G.S. 20-23; 20-23.2 | Permanent            | Any restoration        | 0.00                                                   | Seven years                                                  | No II Requirement                                                                     |                           | N/A                                      |

| Conviction Statute | Offense Description                                                                                                                                                     | Revocation Statute | Length of Revocation                                                                 | Number of Restorations       | Alcohol Concentration Restriction under G.S. 20-19(c3) | Duration of G.S. 20-19(c3) Alcohol Concentration Restriction | Ignition Interlock (II) and Alcohol Concentration (AC) Restriction under G.S. 20-17.8 | Length of Ignition Interlock Restriction |
|--------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|--------------------------------------------------------------------------------------|------------------------------|--------------------------------------------------------|--------------------------------------------------------------|---------------------------------------------------------------------------------------|------------------------------------------|
| G.S. 20-138.2A     | Second or subsequent conviction (within seven years) of driving a commercial motor vehicle after consuming alcohol                                                      | G.S. 20-17(a)(13)  | One year; G.S. 20-19(f)                                                              |                              |                                                        |                                                              |                                                                                       |                                          |
| G.S. 20-138.2B     | Driving a school bus, school activity bus, child care vehicle, ambulance or other EMS vehicle, firefighting vehicle, or law enforcement vehicle after consuming alcohol | G.S. 20-17(a)(14)  | First conviction: 10 days; Second or subsequent conviction: One year; G.S. 20-19(c2) |                              |                                                        |                                                              |                                                                                       |                                          |
| G.S. 20-138.3      | Driving after consuming alcohol or drugs by a person under 21                                                                                                           | G.S. 20-13.2       | One year; G.S. 20-13.2(d)                                                            | Any restoration              | 0.00                                                   | Until the person is 21                                       | No II Requirement                                                                     | N/A                                      |
| G.S. 20-138.5      | Habitual impaired driving                                                                                                                                               | G.S. 20-138.5(d)   | Permanent; G.S. 20-138.5(d)                                                          | Any restoration <sup>4</sup> | 0.00                                                   | Seven years                                                  | No II Requirement                                                                     | N/A                                      |
| G.S. 20-138.7      | Second or subsequent conviction of transporting an open container of alcoholic beverage under G.S. 20-138.7                                                             | G.S. 20-17(a)(12)  | One year; G.S. 20-19(f)                                                              |                              |                                                        |                                                              |                                                                                       |                                          |

4. The provision allowing conditional restoration of a driver's license revoked under G.S. 20-138.5(d) expires December 1, 2014. See S.L. 2009-369.

| Conviction Statute                                                    | Offense Description                                                                                                                                                                                     | Revocation Statute                          | Length of Revocation                                                                                  | Number of Restorations | Alcohol Concentration Restriction under G.S. 20-19(c3) | Duration of G.S. 20-19(c3) Alcohol Concentration Restriction | Ignition Interlock (II) and Alcohol Concentration (AC) Restriction under G.S. 20-17.8 | Length of Ignition Interlock Restriction |
|-----------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|-------------------------------------------------------------------------------------------------------|------------------------|--------------------------------------------------------|--------------------------------------------------------------|---------------------------------------------------------------------------------------|------------------------------------------|
| G.S. 20-140 (reckless driving);<br>G.S. 20-141.6 (aggressive driving) | Conviction within 12 months of (1) two charges of reckless driving, (2) two charges of aggressive driving, or (3) one or more charges of reckless driving and one or more charges of aggressive driving | G.S. 20-17(a)(6)                            | One year;<br>G.S. 20-19(f)                                                                            |                        |                                                        |                                                              |                                                                                       |                                          |
| G.S. 20-140 (reckless driving);<br>G.S. 20-141.6 (aggressive driving) | Conviction of one charge of aggressive driving or reckless driving while engaged in illegal transportation of intoxicants for sale                                                                      | G.S. 20-17(a)(7)                            | One year;<br>G.S. 20-19(f)                                                                            |                        |                                                        |                                                              |                                                                                       |                                          |
| G.S. 20-141                                                           | Speeding over 15 m.p.h. over limit and over 55 m.p.h. (includes work zone charges) or over 80 m.p.h.                                                                                                    | G.S. 20-16.1                                | 30-day suspension for first offense;<br>60-day suspension for second offense;<br>G.S. 20-16.1(a), (c) |                        |                                                        |                                                              |                                                                                       |                                          |
| G.S. 20-141                                                           | Conviction within 12 months of two or more charges of speeding more than 55 m.p.h. and not more than 80 m.p.h.                                                                                          | *Discretionary revocation: G.S. 20-16(a)(9) | Not more than six months; G.S. 20-19(a)                                                               |                        |                                                        |                                                              |                                                                                       |                                          |
| G.S. 20-141;<br>G.S. 20-140                                           | Conviction within 12 months of one or more charges of reckless driving and one or more charges of speeding in excess of 55 m.p.h. and not more than 80 m.p.h.                                           | *Discretionary revocation: G.S. 20-16(a)(9) | Not more than six months; G.S. 20-19(a)                                                               |                        |                                                        |                                                              |                                                                                       |                                          |

| Conviction Statute            | Offense Description                                                                                                                                             | Revocation Statute                            | Length of Revocation                                                              | Number of Restorations | Alcohol Concentration Restriction under G.S. 20-19(c3) | Duration of G.S. 20-19(c3) Alcohol Concentration Restriction | Ignition Interlock (II) and Alcohol Concentration (AC) Restriction under G.S. 20-17.8 |  |
|-------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------------------|------------------------|--------------------------------------------------------|--------------------------------------------------------------|---------------------------------------------------------------------------------------|--|
|                               |                                                                                                                                                                 |                                               |                                                                                   |                        |                                                        |                                                              |                                                                                       |  |
| G.S. 20-141;<br>G.S. 20-141.6 | Conviction within 12 months of one or more charges of aggressive driving and one or more charges of speeding in excess of 55 m.p.h. and not more than 80 m.p.h. | *Discretionary revocation: G.S. 20-16(a)(9)   | Not more than six months; G.S. 20-19(a)                                           |                        |                                                        |                                                              |                                                                                       |  |
| G.S. 20-141                   | Conviction of speeding more than 75 m.p.h. where speed limit is less than 70 m.p.h.                                                                             | *Discretionary revocation: G.S. 20-16(a)(10)  | Not more than 12 months; G.S. 20-19(b)                                            |                        |                                                        |                                                              |                                                                                       |  |
| G.S. 20-141                   | Conviction of speeding more than 80 m.p.h. where speed limit is 70 m.p.h.                                                                                       | *Discretionary revocation: G.S. 20-16(a)(10a) | Not more than one year; G.S. 20-19(c)                                             |                        |                                                        |                                                              |                                                                                       |  |
| G.S. 20-141.3(a)              | Engaging in a prearranged speed competition with another motor vehicle                                                                                          | G.S. 20-141.3(d)                              | Three years; person may apply for new license after 18 months; G.S. 20-141.3(d).  |                        |                                                        |                                                              |                                                                                       |  |
| G.S. 20-141.3(b)              | Willfully engaging in a speed competition with another motor vehicle (not prearranged)                                                                          | *Discretionary revocation: G.S. 20-141.3(e)   | Up to one year; G.S. 20-141.3(e)                                                  |                        |                                                        |                                                              |                                                                                       |  |
| G.S. 20-141.3(c)              | Allowing or authorizing others to use one's motor vehicle in a prearranged speed competition                                                                    | G.S. 20-141.3(d)                              | Three years; person may apply for a new license after 18 months; G.S. 20-141.3(d) |                        |                                                        |                                                              |                                                                                       |  |

| Conviction Statute | Offense Description                                                    | Revocation Statute       | Length of Revocation                                                              | Number of Restorations       | Alcohol Concentration Restriction under G.S. 20-19(c3) | Duration of G.S. 20-19(c3) Alcohol Concentration Restriction | Ignition Interlock (II) and Alcohol Concentration (AC) Restriction under G.S. 20-17.8 | Length of Ignition Interlock Restriction |
|--------------------|------------------------------------------------------------------------|--------------------------|-----------------------------------------------------------------------------------|------------------------------|--------------------------------------------------------|--------------------------------------------------------------|---------------------------------------------------------------------------------------|------------------------------------------|
| G.S. 20-141.3(c)   | Placing or receiving a bet or wager on a prearranged speed competition | G.S. 20-141.3(d)         | Three years; person may apply for a new license after 18 months; G.S. 20-141.3(d) |                              |                                                        |                                                              |                                                                                       |                                          |
| G.S. 20-141.4(a1)  | Felony death by vehicle                                                | G.S. 20-17(a)(9)         | Permanent; G.S. 20-19(i)                                                          | Any restoration              | 0.00                                                   | Seven years                                                  | No II Requirement                                                                     | N/A                                      |
|                    | Out-of-state felony death by vehicle                                   | G.S. 20-23; G.S. 20-23.2 | Permanent                                                                         | Any restoration              | 0.00                                                   | Seven years                                                  | No II Requirement                                                                     | N/A                                      |
| G.S. 20-141.4(a3)  | Felony serious injury by vehicle                                       | G.S. 20-17(a)(9)         | Four years; G.S. 20-19(d)                                                         | Unclear <sup>5</sup>         | Unclear <sup>6</sup>                                   | Three years                                                  | No II Requirement                                                                     | N/A                                      |
|                    | Out-of-state felony serious injury by vehicle                          | G.S. 20-23; G.S. 20-23.2 | Four years                                                                        | Any restoration              | 0.00                                                   | Three years                                                  | No II Requirement                                                                     | N/A                                      |
| G.S. 20-141.4(a4)  | Aggravated felony serious injury by vehicle                            | G.S. 20-17(a)(9)         | Permanent; G.S. 20-19(e)                                                          | Unclear <sup>7</sup>         | Unclear <sup>8</sup>                                   | Seven years                                                  | No II Requirement                                                                     | N/A                                      |
|                    | Out-of-state or federal felony serious injury by vehicle               | G.S. 20-23; G.S. 20-23.2 | Permanent                                                                         | Any restoration              | 0.00                                                   | Seven years                                                  | No II Requirement                                                                     | N/A                                      |
| G.S. 20-141.4(a5)  | Aggravated felony death by vehicle                                     | G.S. 20-17(a)(9)         | Permanent; G.S. 20-19(i)                                                          | Any restoration <sup>9</sup> | 0.00                                                   | Seven years                                                  | No II Requirement                                                                     | N/A                                      |

5. No alcohol concentration restriction is specified by statute for license restorations following convictions of felony serious injury by vehicle under G.S. 20-141.4(a3). In contrast, G.S. 20-19(c3)(4) imposes an alcohol concentration restriction of 0.00 for any license restored following a revocation for an out-of-state or federal conviction of an offense that is substantially similar to a violation of G.S. 20-141.4—the statute that defines both death by vehicle and serious injury by vehicle offenses.

6. No alcohol concentration restriction is specified by statute for license restorations following convictions of felony serious injury by vehicle under G.S. 20-141.4(a3). In contrast, G.S. 20-19(c3)(4) imposes an alcohol concentration restriction of 0.00 for any license restored following a revocation for an out-of-state or federal conviction of an offense that is substantially similar to a violation of G.S. 20-141.4—the statute that defines both death by vehicle and serious injury by vehicle offenses.

7. No alcohol concentration restriction is specified by statute for license restorations following convictions of felony serious injury by vehicle under G.S. 20-141.4(a3). In contrast, G.S. 20-19(c3)(4) imposes an alcohol concentration restriction of 0.00 for any license restored following a revocation for an out-of-state or federal conviction of an offense that is substantially similar to a violation of G.S. 20-141.4—the statute that defines both death by vehicle and serious injury by vehicle offenses.

8. No alcohol concentration restriction is specified by statute for license restorations following convictions of felony serious injury by vehicle under G.S. 20-141.4(a3). In contrast, G.S. 20-19(c3)(4) imposes an alcohol concentration restriction of 0.00 for any license restored following a revocation for an out-of-state or federal conviction of an offense that is substantially similar to a violation of G.S. 20-141.4—the statute that defines both death by vehicle and serious injury by vehicle offenses.

9. G.S. 20-19(c3)(3) requires an alcohol concentration restriction of 0.00 for any restoration for a person convicted of “felony death by vehicle, G.S. 20-141.4(a1), [or] manslaughter or negligent homicide resulting from the operation of a motor vehicle when the offense involved impaired driving.” Given that felony death by vehicle is a lesser-included offense of aggravated felony death by vehicle, it seems beyond dispute that these restrictions apply to persons convicted of the greater offense.

| Conviction Statute | Offense Description                                                                                             | Revocation Statute       | Length of Revocation                                                                                                               | Number of Restorations        | Alcohol Concentration Restriction under G.S. 20-19(c3) | Duration of G.S. 20-19(c3) Alcohol Concentration Restriction | Ignition Interlock (II) and Alcohol Concentration (AC) Restriction under G.S. 20-17.8 | Length of Ignition Interlock Restriction |
|--------------------|-----------------------------------------------------------------------------------------------------------------|--------------------------|------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|--------------------------------------------------------|--------------------------------------------------------------|---------------------------------------------------------------------------------------|------------------------------------------|
|                    | Out-of-state or federal felony death by vehicle                                                                 | G.S. 20-17(a)(9)         | Permanent                                                                                                                          | Any restoration               | 0.00                                                   | Seven years                                                  | No II Requirement                                                                     | N/A                                      |
| G.S. 20-141.4(a6)  | Repeat felony death by vehicle                                                                                  | G.S. 20-17(a)(9)         | Permanent;<br>G.S. 20-19(i)                                                                                                        | Any restoration <sup>10</sup> | 0.00                                                   | Seven years                                                  | No II Requirement                                                                     | N/A                                      |
|                    | Out-of-state or federal repeat or felony death by vehicle                                                       | G.S. 20-23; G.S. 20-23.2 | Permanent                                                                                                                          | Any restoration               | 0.00                                                   | Seven years                                                  | No II Requirement                                                                     | N/A                                      |
| Common law offense | Involuntary manslaughter resulting from the operation of a motor vehicle                                        | G.S. 20-17(a)(1)         | Permanent;<br>G.S. 20-19(i)                                                                                                        | Any restoration               | 0.00                                                   | Seven years                                                  | No II requirement                                                                     | N/A                                      |
|                    | Out-of-state or federal conviction for involuntary manslaughter resulting from the operation of a motor vehicle | G.S. 20-23; G.S. 20-23.2 | Permanent                                                                                                                          | Any restoration               | 0.00                                                   | Seven years                                                  | No II requirement                                                                     | N/A                                      |
| G.S. 20-141.5(a)   | Misdemeanor speeding to elude arrest                                                                            | G.S. 20-141.5(d)         | Not more than one year; G.S. 20-141.5(d)                                                                                           |                               |                                                        |                                                              |                                                                                       |                                          |
| G.S. 20-141.5(b)   | Felony speeding to elude arrest (Class H felony)                                                                | G.S. 20-141.5(d)         | Two years if two aggravating factors under G.S. 20-141.5(b);<br>Three years if three or more aggravating factors; G.S. 20-141.5(d) |                               |                                                        |                                                              |                                                                                       |                                          |

<sup>10</sup> G.S. 20-19(c3)(3) requires an alcohol concentration restriction of 0.00 for any restoration for a person convicted of "felony death by vehicle, G.S. 20-141.4(a), [or] manslaughter or negligent homicide resulting from the operation of a motor vehicle when the offense involved impaired driving." Given that felony death by vehicle is a lesser-included offense of repeat felony death by vehicle, it seems beyond dispute that these restrictions apply to persons convicted of the greater offense.

| Conviction Statute  | Offense Description                                                                                                                              | Revocation Statute                                                                        | Length of Revocation                                                                                                               | Number of Restorations | Alcohol Concentration Restriction under G.S. 20-19(c3) | Duration of G.S. 20-19(c3) Alcohol Concentration Restriction | Ignition Interlock (II) and Alcohol Concentration (AC) Restriction under G.S. 20-17.8 |  |
|---------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|------------------------|--------------------------------------------------------|--------------------------------------------------------------|---------------------------------------------------------------------------------------|--|
|                     |                                                                                                                                                  |                                                                                           |                                                                                                                                    |                        |                                                        |                                                              |                                                                                       |  |
| G.S. 20-141.5(b1)   | Misdemeanor speeding to elude arrest that causes death (Class H felony)                                                                          | G.S. 20-141.5(d)                                                                          | Two years if two aggravating factors under G.S. 20-141.5(b);<br>Three years if three or more aggravating factors; G.S. 20-141.5(d) |                        |                                                        |                                                              |                                                                                       |  |
| G.S. 20-141.5(b1)   | Felony speeding to elude arrest that causes death (Class E felony)                                                                               | G.S. 20-141.5(d)                                                                          | Two years if two aggravating factors under G.S. 20-141.5(b);<br>Three years if three or more aggravating factors; G.S. 20-141.5(d) |                        |                                                        |                                                              |                                                                                       |  |
| G.S. 20-154(a2)     | Unsafe movement resulting in a crash causing property damage of more than \$5,000 or serious bodily injury to a motorcycle operator or passenger | *Discretionary revocation: G.S. 20-154(a2) (in discretion of trial court rather than DMV) | Not more than 30 days; G.S. 20-154(a2)                                                                                             |                        |                                                        |                                                              |                                                                                       |  |
| G.S. 20-157(i)      | Failure to stop for approaching fire, police, rescue vehicle, etc., or other violation of G.S. 20-157 that causes serious injury or death        | *Discretionary revocation: G.S. 20-157(i)                                                 | Not more than six months; G.S. 20-157(i)                                                                                           |                        |                                                        |                                                              |                                                                                       |  |
| G.S. 20-160.1       | Failure to yield resulting in serious bodily injury                                                                                              | G.S. 20-160.1                                                                             | 90 days; G.S. 20-160.1(a).                                                                                                         |                        |                                                        |                                                              |                                                                                       |  |
| G.S. 20-166(a), (b) | Failure to stop and render aid                                                                                                                   | G.S. 20-17(a)(4)                                                                          | One year; G.S. 20-19(f)                                                                                                            |                        |                                                        |                                                              |                                                                                       |  |

| Conviction Statute                                                 | Offense Description                                                                                       | Revocation Statute             | Length of Revocation         | Number of Restorations | Alcohol Concentration Restriction under G.S. 20-19(c3) | Duration of G.S. 20-19(c3) Alcohol Concentration Restriction | Ignition Interlock (II) and Alcohol Concentration (AC) Restriction under G.S. 20-17.8 | Length of Ignition Interlock Restriction |
|--------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------|--------------------------------|------------------------------|------------------------|--------------------------------------------------------|--------------------------------------------------------------|---------------------------------------------------------------------------------------|------------------------------------------|
| G.S. 20-217(a)<br>*Offenses committed on or after December 1, 2013 | Second conviction within three years of misdemeanor violation of G.S. 20-217 (passing stopped school bus) | G.S. 20-217(g1) <sup>11</sup>  | One year; G.S. 20-217(g1)    |                        |                                                        |                                                              |                                                                                       |                                          |
| G.S. 20-217(a)<br>*Offenses committed on or after December 1, 2013 | Third conviction of misdemeanor violation of G.S. 20-217 (passing stopped school bus)                     | G.S. 20-217(g1) <sup>12</sup>  | Permanent; G.S. 20-217(g1)   |                        |                                                        |                                                              |                                                                                       |                                          |
| G.S. 20-217(g)                                                     | Passing stopped school bus and striking person (Class I felony)                                           | G.S. 20-17(a)(3) <sup>13</sup> | One year; G.S. 20-19(f)      |                        |                                                        |                                                              |                                                                                       |                                          |
| G.S. 20-217(g)<br>*Offenses committed on or after December 1, 2013 | Passing stopped school bus and striking person (Class I felony)                                           | G.S. 20-217(g1) <sup>14</sup>  | Two years; G.S. 20-217(g1)   |                        |                                                        |                                                              |                                                                                       |                                          |
| G.S. 20-217(g)                                                     | Passing a stopped school bus and striking a person, causing death (Class H felony)                        | G.S. 20-17(a)(3) <sup>15</sup> | One year; G.S. 20-217(g1)    |                        |                                                        |                                                              |                                                                                       |                                          |
| G.S. 20-217(g)<br>*Offenses committed on or after December 1, 2013 | Passing a stopped school bus and striking a person, causing death (Class H felony)                        | G.S. 20-217(g1) <sup>16</sup>  | Three years; G.S. 20-217(g1) |                        |                                                        |                                                              |                                                                                       |                                          |

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11. Effective for offenses committed on or after December 1, 2013.

12. Effective for offenses committed on or after December 1, 2013.

13. Requiring revocation upon conviction of a felony in the commission of which a motor vehicle is used.

14. Effective for offenses committed on or after December 1, 2013.

15. Requiring revocation upon conviction of a felony in the commission of which a motor vehicle is used.

16. Effective for offenses committed on or after December 1, 2013.

| Conviction Statute                                                 | Offense Description                                                                                         | Revocation Statute            | Length of Revocation       | Number of Restorations | Alcohol Concentration Restriction under G.S. 20-19(c3) | Duration of G.S. 20-19(c3) Alcohol Concentration Restriction | Ignition Interlock (II) and Alcohol Concentration (AC) Restriction under G.S. 20-17.8 | Length of Ignition Interlock Restriction |
|--------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|-------------------------------|----------------------------|------------------------|--------------------------------------------------------|--------------------------------------------------------------|---------------------------------------------------------------------------------------|------------------------------------------|
| G.S. 20-217(g)<br>*Offenses committed on or after December 1, 2013 | Second conviction of passing a stopped school bus and striking a person/striking a person and causing death | G.S. 20-217(g1) <sup>17</sup> | Permanent; G.S. 20-217(g1) |                        |                                                        |                                                              |                                                                                       |                                          |

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17. Effective for offenses committed on or after December 1, 2013.