

## DRIVER'S LICENSE REVOCATIONS

### I. Definitions

1. License -- G.S. 20-4.01(17)
2. Revocation -- G.S. 20-4.01(36)  
Suspension -- G.S. 20-4.01(47)  
Disqualification -- G.S. 20-4.01(5a)
3. Conviction -- G.S. 20-4.01(4a)

### II. Mandatory Revocation for Convictions

1. G.S. 20-13.2 -- Underage driver zero per se offense, or offense involving impaired driving
2. G.S. 20-16.1 -- Speeding over 15 mph over limit and over 55 mph (includes work zone charges)
3. G.S. 20-17
  - 1) Manslaughter
  - 2) DWI
  - 3) Commercial DWI (if 0.06 or more alcohol concentration)
  - 4) Felony (school bus injury, G.S. 20-217; Felony injury by vehicle, G.S. 20-141.4)
  - 5) Hit and run
  - 6) Perjury
  - 7) 2 Reckless Driving
  - 8) Reckless driving and illegal transportation
  - 9) False name, statement to get license
  - 10) Death by vehicle
  - 11) Assault with motor vehicle
  - 12) 2<sup>nd</sup> transporting open container under 20-138.7
  - 13) 2<sup>nd</sup> or subsequent conviction under commercial zero tolerance law under GS 20-138.2A
  - 14) 2<sup>nd</sup> or subsequent conviction under zero tolerance law for school or activity bus or child care vehicle under GS 20-138.2B
  - 15) Conviction of use of explosive, false bomb threats or hoaxes, possession of explosives, etc.
  - 16) 2<sup>nd</sup> larceny of motor fuel

4. G.S. 20-17.2 -- Court ordered DWI revocation (repealed 12/06)
5. G.S. 20-17.3 -- ABC law violations
6. G.S. 20-28 – DWLR; (effective 12/06) driving after notification for DWI-related revocation; failure to appear in DWI case
7. G.S. 20-28.1 -- Moving violation while revoked
8. G.S. 20-141.3(a), (c) -- Prearranged racing; betting on racing
9. G.S. 20-13.2 (c1) – School conduct—not passing; alcohol, drugs or weapons at school; assaultive behavior
10. G.S. 20-13.2(c2) -- Under 18, conviction of use of explosive, false bomb threats, hoaxes, possession of explosive, etc.
11. G.S. 20-141.5 (d) -- Speeding to elude arrest
12. G.S. 20-160.1 – Failure to yield resulting in serious bodily injury
13. G.S. 20-9(i) – Sex offender registration violation

### III. Discretionary Revocation Based on Convictions

1. G.S. 20-13 -- Provisional licensee moving violations
2. G.S. 20-16(a)
  - (5) Point System
  - (6) Fraudulent use of license
  - (8) Illegal transportation
  - (8a) Impaired instruction
  - (9) 2 over 55 mph (includes work zone charges)
  - (10) 1 over 75 mph (includes work zone charges)
  - (11) 1 over 80 mph (includes work zone charges)
3. G.S. 20-141.3(b) -- Willful racing
4. G.S. 20-157(i) – Violation of “move over” law resulting in serious injury or death to emergency worker or law enforcement officer. Effective July 1, 2006

### IV. Limited Driving Privilege (Negates Certain Revocations)

1. G.S. 20-16(e1) -- negates G.S. 20-16(a) (9), (a) (10), (a)(10a) (speeding)
2. G.S. 20-16.1 -- negates G.S. 20-16.1 (speeding)
3. G.S. 20-16.2(e1) -- negates G.S. 20-16.2, 17(2) (willful refusal)
4. G.S. 20-179.3 -- negates G.S. 20-17(2) (impaired driving)
5. G.S. 20-138.7(h) -- negates G.S. 20-17(12) and -17(2) (transporting open container alcohol after consuming)
6. G.S. 20-138.3(d) -- negates G.S. 20-13.2 (underage drivers zero tolerance)

7. G.S. 110-142.1 -- negates G.S. 20-15.1 (failure to pay child support)
8. G.S. 15A-1331(d) -- negates G.S. 20-15.2 (probation revocation)
9. G.S. 20-16.5 (p) -- negates G.S. 20-16.5 (CVR)
10. G.S. 20-141.5 (d) -- negates G.S. 20-141.5 (driving to elude arrest)
11. G.S. 20-166 -- negates G. S. 20-17(a)(4) (hit and run)
12. G.S. 20-16(e2) -- negates G.S. 20-17(a)(16) (larceny of motor fuel)
13. G.S. 20-157(i) -- negates G. S. 20-157(i) ("move over" violations)

#### V. Revocations Not Based on Convictions

1. Failure to appear or pay fine, penalty, or cost -- G.S. 20-24.1
2. Non-resident violator compact -- G.S. 20-4.18 et seq.
3. Willful refusal to submit chemical analysis -- G.S. 20-16.2
4. Willful refusal to submit chemical analysis, under 21 -- G.S. 20-13.2
5. 30-day, immediate revocation on impaired driving, commercial DWI and underage zero tolerance -- G.S. 20-16.5
5. Offenses in other jurisdictions
  - a) G.S. 20-16(a)(7) -- "commission" of offenses in other state
  - b) G.S. 20-16(a)(8b) -- military bases
  - c) G.S. 20-23 -- other state convictions
  - d) G.S. 20-23.2 -- federal court convictions
6. Violation of DMV probation -- G.S. 20-16(c);  
G.S. 20-16(d);  
G.S. 20-19(d);  
G.S. 20-19(e)
7. Failure to post security -- G.S. 20-279.5;  
G.S. 20-279.13;  
G.S. 20-279.16
8. Incompetent person or person involuntarily committed for alcoholism --  
G.S. 20-17.1
9. Failure to pay child support -- G.S. 20-15.1 (effective Dec. 1, 1996)
10. Conviction of felony and unsuccessful probation -- G.S. 20-15.1
11. Violation of per se levels imposed on license restored after certain convictions  
of offenses involving impaired driving -- G.S. 20-19(c3) (eff. 7/1/2000)
12. Violation of conditions that require use of ignition interlock imposed on  
license restored after certain impaired driving revocations -- G.S. 20-17.7(g)

#### VI. Conditions Required to be Compiled with Before Revocation Ends

1. Failure to obtain assessment or complete ADETS or treatment in DWI cases --

G.S. 20-17.6

VII. Commercial Driver Licenses -- Disqualifications -- G.S. 20-17.4 (Note: Effective Sept. 20, 2005, these disqualifications also apply to persons holding commercial licenses, even if th offenses occur in non commercial vehicle)

1. DWI while driving a commercial vehicle -- G.S. 20-138.1
2. Driving commercial vehicle while impaired -- G.S. 20-138.2
3. Hit and run in a commercial vehicle
4. Felony in a commercial vehicle
4. Refusal in a commercial vehicle
5. Two serious violations in a commercial vehicle -- G.S. 20-4.01(41a); 20-17.4
6. Violation of commercial zero tolerance law—GS 20-138.2A
7. Civil revocation under G.S. 20-16.5, or similar revocation in another state
8. Vehicular homicide (death by vehicle or manslaughter)
9. Driving commercial vehicle with a revoked or disqualified license