

STATE OF NORTH CAROLINA

File No.

_____ County

In The General Court Of Justice
 District Superior Court Division

STATE VERSUS

INTERLOCK LIMITED DRIVING PRIVILEGE IMPAIRED DRIVING WITH IMPAIRED DRIVING CONVICTION IN PRECEDING SEVEN YEARS (N.C. CONVICTIONS ONLY)

G.S. 20-179.3

Name And Address Of Applicant

Race Sex Height Weight

Hair Color Eye Color Date Of Birth Drivers License No. State

Date Of Offense Date Of Conviction

NOTE: Use AOC-CV-352B when the applicant's license was revoked for a conviction in another state or in a federal court. Use AOC-CR-340 when the applicant has been convicted of impaired driving under G.S. 20-138.1 but had not within the preceding seven (7) years been convicted of an offense involving impaired driving.

FINDINGS

Upon application of the applicant for a limited driving privilege, the Court finds that:

1. The applicant has been convicted of impaired driving under G.S. 20-138.1;
2. At the time of the offense, the applicant held either a valid drivers license or a license that had been expired for less than one (1) year;
3. At the time of the offense the person did not have an alcohol concentration of 0.15 or more.
4. At the time of the offense, the applicant had within the preceding seven (7) years been convicted of not more than one (1) offense involving impaired driving;
5. Punishment level three, four, or five has been imposed upon the applicant for the offense of impaired driving, or punishment level two has been imposed and the Grossly Aggravating Factor determined to impose punishment level two was the Grossly Aggravating Factor provided in G.S. 20-179(c)(1);
6. Subsequent to the offense, the applicant has not been convicted of, or had an unresolved charge lodged against the applicant for an offense involving impaired driving;
7. The records of the Division of Motor Vehicles and the Clerk of Superior Court in this county have been searched, and there are no other revocations in effect at this time;
8. The applicant has obtained and filed with the court a substance abuse assessment;
9. a. The Court has been furnished a properly executed form DL-123 and is satisfied that the applicant is financially responsible.
 b. The applicant has executed form DL-123A and is not required to furnish proof of financial responsibility.

ORDER

It is ORDERED that the applicant be allowed a limited driving privilege to be effective on the date indicated below to be used in accordance with the restrictions imposed on the reverse of this form, and to:

- expire one year
- expire four years (select this if applicant was convicted of another offense involving impaired driving that occurred within the three years immediately preceding the current offense. G.S. 20-19(d).)
- last permanently (select this if applicant was convicted of two or more previous offenses involving impaired driving, the most recent having occurred within the five years immediately preceding the current offense. G.S. 20-19(e).)

from the date on which the Division of Motor Vehicles revokes the applicant's drivers license pursuant to G.S. 20-17(a)(2). This limited driving privilege is conditioned upon the maintenance of any financial responsibility required by G.S. 20-179.3(l) during the period of this privilege.

Effective Date

Date

NOTE TO APPLICANT: This privilege is no longer valid after the revocation period for the offense of which you were convicted has ended, or if your drivers license remains revoked solely because the Division of Motor Vehicles has not obtained a certificate of your completion of a substance abuse treatment program or an alcohol and drug education traffic school.

Signature Of Judge

Name Of Judge (type or print)

Original - File Certified Copy - Applicant Copy - DMV
 (Over)

RESTRICTIONS

The driver shall not drink alcohol while driving or drive while any alcohol remains in his/her body. The driver shall not drive while having a controlled substance in his/her body unless such controlled substance was lawfully obtained and taken in therapeutically approved amounts. This limited driving privilege **DOES NOT** include the privilege of operating a commercial motor vehicle as defined in G.S. 20-4.01(3d).

1. Driving is restricted to: *(select b., if applicable)*

a. The following non-commercial vehicle(s): _____, which shall be equipped with a functioning ignition interlock system of a type approved by the Commissioner of Motor Vehicles that is set to prohibit driving with an alcohol concentration of greater than 0.02, and the driver shall personally activate the ignition interlock system before operating the vehicle and at any time during the driving as required by the procedures for ignition interlock systems established by the Commissioner of Motor Vehicles. The driver may drive to and from any ignition interlock service facility for installation and service purposes.

b. *(select if G.S. 20-179.3(g4) applies)* The following non-commercial vehicle(s): _____, which is owned by the driver's employer and is operated by the driver solely for work-related purposes, and the vehicle owner has filed a written statement with the court authorizing such work-related driving by the driver.

2. Additional restrictions: Corrective Lenses 45 M.P.H. Only Daylight Only
 Other:

NOTICE/ACKNOWLEDGMENT OF RECEIPT

I have received a copy of this limited driving privilege which contains the restrictions on my driving privilege. I understand that if I drive with the odor of alcohol on my breath, I may be subject to arrest and loss of this limited driving privilege; I understand that this is my limited license to drive; that I must keep it in my possession during the period of revocation; that if my drivers license is revoked for any other reason, this limited driving privilege is invalid; that a violation of any restriction imposed in connection with this limited driving privilege constitutes the offense of driving while license revoked under G.S. 20-28; that an ignition interlock system violation committed during the 90-day period immediately preceding the date on which compliance with the ignition interlock restriction is to end shall extend the period of revocation and authorization to drive with this limited driving privilege; that removal of the ignition interlock system prior to the end of the revocation period or any extension shall void this limited driving privilege; that if community service has been ordered, my willful failure to pay the prescribed fee or complete the community service within the time limit imposed shall result in revocation of this limited driving privilege; and that my willful failure may also result in other action authorized by law for violation of a condition of probation.

Date _____ Signature Of Driver _____

CERTIFICATION

I certify that this is a true and complete copy of the original on file in this case.

Date _____ Signature _____ Deputy CSC Assistant CSC
 Clerk Of Superior Court