



CHAPTER 20
ARTICLE 2 - UNIFORM DRIVER'S LICENSE ACT

N.C.G.S. § 20-16.

Authority of Division to suspend license.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT S.L. 2025-45, s. 8(a) — forty-fourth act in the lineage	RETRIEVED 21 September 2026, 04:06 UTC	SOURCE FINGERPRINT c0a68064ee68f8aad98eea65 - 4d8f6f163cbfed858bfc27b6 - cab89c95666889378
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- § 20-16(a) The Division shall have authority to suspend the license of any operator with or without a preliminary hearing upon a showing by its records or other satisfactory evidence that the licensee:
- (1) through (4) Repealed by Session Laws 1979, c. 36;
 - (5) Has, under the provisions of subsection (c) of this section, within a three-year period, accumulated 12 or more points, or eight or more points in the three-year period immediately following the reinstatement of a license which has been suspended or revoked because of a conviction for one or more traffic offenses;
 - (6) Has made or permitted an unlawful or fraudulent use of such license or a learner's permit, or has displayed or represented as his own, a license or learner's permit not issued to him;
 - (6a) (Effective July 1, 2026) Has violated G.S. 20-309(a3);
 - (7) Has committed an offense in another state, which if committed in this State would be grounds for suspension or revocation;
 - (8) Has been convicted of illegal transportation of alcoholic beverages;
 - (8a) Has been convicted of impaired instruction under G.S. 20-12.1;

- (8b) Has violated on a military installation a regulation of that installation prohibiting conduct substantially similar to conduct that constitutes impaired driving under G.S. 20-138.1 and, as a result of that violation, has had his privilege to drive on that installation revoked or suspended after an administrative hearing authorized by the commanding officer of the installation and that commanding officer has general court martial jurisdiction;
- (9) Has, within a period of 12 months, been convicted of (i) two or more charges of speeding in excess of 55 and not more than 80 miles per hour, (ii) one or more charges of reckless driving and one or more charges of speeding in excess of 55 and not more than 80 miles per hour, or (iii) one or more charges of aggressive driving and one or more charges of speeding in excess of 55 and not more than 80 miles per hour;
- (10) Has been convicted of operating a motor vehicle at a speed in excess of 75 miles per hour on a public road or highway where the maximum speed is less than 70 miles per hour;
- (10a) Has been convicted of operating a motor vehicle at a speed in excess of 80 miles per hour on a public highway where the maximum speed is 70 miles per hour; or
- (11) Has been sentenced by a court of record and all or a part of the sentence has been suspended and a condition of suspension of the sentence is that the operator not operate a motor vehicle for a period of time.

However, if the Division revokes without a preliminary hearing and the person whose license is being revoked requests a hearing before the effective date of the revocation, the licensee retains his license unless it is revoked under some other provision of the law, until the hearing is held, the person withdraws his request, or he fails to appear at a scheduled hearing.

§ 20-16(b)

Pending an appeal from a conviction of any violation of the motor vehicle laws of this State, no driver's license shall be suspended by the Division of Motor Vehicles because of such conviction or because of evidence of the commission of the offense for which the conviction has been had.

§ 20-16(c)

The Division shall maintain a record of convictions of every person licensed or required to be licensed under the provisions of this Article as an operator and shall enter therein records of all convictions of such persons for any violation of the motor

vehicle laws of this State and shall assign to the record of such person, as of the date of commission of the offense, a number of points for every such conviction in accordance with the following schedule of convictions and points, except that points shall not be assessed for convictions resulting in suspensions or revocations under other provisions of laws: Further, any points heretofore charged for violation of the motor vehicle inspection laws shall not be considered by the Division of Motor Vehicles as a basis for suspension or revocation of driver's license:

Schedule of Point Values

Passing stopped school bus⁵

Aggressive driving⁵

Reckless driving⁴

Hit and run, property damage only⁴

Following too close⁴

Driving on wrong side of road⁴

Illegal passing⁴

Failure to yield right-of-way to pedestrian

pursuant to G.S. 20-158(b)(2)b.4

Failure to yield right-of-way to bicycle, motor scooter, or motorcycle⁴

Running through stop sign³

Speeding in excess of 55 miles per hour³

Failing to yield right-of-way³

Running through red light³

No driver's license or license expired more than one year³

Failure to stop for siren³

Driving through safety zone³

No liability insurance³

Failure to report accident where such report is required³

Speeding in a school zone in excess of the posted school zone speed limit³

Failure to properly restrain a child in a restraint or seat belt²

All other moving violations²

Littering pursuant to G.S. 14-399 when the littering involves
the use of a motor vehicle¹

Schedule of Point Values for Violations While Operating a Commercial Motor Vehicle

Passing stopped school bus⁸

Rail-highway crossing violation⁶

Careless and reckless driving in violation of G.S. 20-140(f)⁶

Speeding in violation of G.S. 20-141(j)³⁶

Aggressive driving⁶

Reckless driving⁵

Hit and run, property damage only⁵

Following too close⁵

Driving on wrong side of road⁵

Illegal passing⁵

Failure to yield right-of-way to pedestrian pursuant to

G.S. 20-158(b)(2)b.⁵

Failure to yield right-of-way to bicycle, motor scooter, or motorcycle⁵

Running through stop sign⁴

Speeding in excess of 55 miles per hour⁴

Failing to yield right-of-way⁴

Running through red light⁴

No driver's license or license expired more than one year⁴

Failure to stop for siren⁴

Driving through safety zone⁴

No liability insurance⁴

Failure to report accident where such report is required⁴

Speeding in a school zone in excess of the posted school zone speed limit⁴

Possessing alcoholic beverages in the passenger area of a commercial motor vehicle⁴

All other moving violations³

Littering pursuant to G.S. 14-399 when the littering involves the use of a motor vehicle¹

The above provisions of this subsection shall only apply to violations and convictions which take place within the State of North Carolina. The Schedule of Point Values for Violations While Operating a Commercial Motor Vehicle shall not apply to any commercial motor vehicle known as an "aerial lift truck" having a hydraulic arm and bucket station, and to any commercial motor vehicle known as a "line truck" having a hydraulic lift for cable, if the vehicle is owned, operated by or under contract to a public utility, electric or telephone membership corporation or municipality and used in connection with installation, restoration or maintenance of utility services.

No points shall be assessed for conviction of the following offenses:

Overloads

Over length

Over width

Over height

Illegal parking

Carrying concealed weapon

Improper plates

Improper registration

Improper muffler

Improper display of license plates or dealers' tags

Unlawful display of emblems and insignia

Failure to display current inspection certificate.

In case of the conviction of a licensee of two or more traffic offenses committed on a single occasion, such licensee shall be assessed points for one offense only and if the offenses involved have a different point value, such licensee shall be assessed for the offense having the greater point value.

Upon the restoration of the license or driving privilege of such person whose license or driving privilege has been suspended or revoked because of conviction for a traffic offense, any points that might previously have been accumulated in the driver's record shall be cancelled.

Whenever any licensee accumulates as many as seven points or accumulates as many as four points during a three-year period immediately following reinstatement of his license after a period of suspension or revocation, the Division may request the licensee to attend a conference regarding such licensee's driving record. The Division may also afford any licensee who has accumulated as many as seven points or any licensee who has accumulated as many as four points within a three-year period immediately following reinstatement of his license after a period of suspension or revocation an opportunity to attend a driver improvement clinic operated by the Division and, upon the successful completion of the course taken at the clinic, three points shall be deducted from the licensee's conviction record; provided, that only one deduction of points shall be made on behalf of any licensee within any five-year period.

When a license is suspended under the point system provided for herein, the first such suspension shall be for not more than 60 days; the second such suspension shall not exceed six months and any subsequent suspension shall not exceed one year.

Whenever the driver's license of any person is subject to suspension under this subsection and at the same time also subject to suspension or revocation under other provisions of laws, such suspensions or revocations shall run concurrently.

In the discretion of the Division, a period of probation not to exceed one year may be substituted for suspension or for any unexpired period of suspension under subsections (a)(1) through (a)(10a) of this section. Any violation of probation during the probation period shall result in a suspension for the unexpired remainder of the suspension period. Any accumulation of three or more points under this subsection during a period of probation shall constitute a violation of the condition of probation.

§ 20-16(d)

Upon suspending the license of any person as authorized in this section, the Division shall immediately notify the licensee in writing and upon his request shall afford him an opportunity for a hearing, not to exceed 60 days after receipt of the request, unless a preliminary hearing was held before his license was suspended. Upon such

hearing the duly authorized agents of the Division may administer oaths and may issue subpoenas for the attendance of witnesses and the production of relevant books and papers and may require a reexamination of the licensee. Upon such hearing the Division shall either rescind its order of suspension, or good cause appearing therefor, may extend the suspension of such license. Provided further upon such hearing, preliminary or otherwise, involving subsections (a)(1) through (a)(10a) of this section, the Division may for good cause appearing in its discretion substitute a period of probation not to exceed one year for the suspension or for any unexpired period of suspension. Probation shall mean any written agreement between the suspended driver and a duly authorized representative of the Division and such period of probation shall not exceed one year, and any violation of the probation agreement during the probation period shall result in a suspension for the unexpired remainder of the suspension period. The authorized agents of the Division shall have the same powers in connection with a preliminary hearing prior to suspension as this subsection provided in connection with hearings held after suspension. These agents shall also have the authority to take possession of a surrendered license on behalf of the Division if the suspension is upheld and the licensee requests that the suspension begin immediately.

§ 20-16(e) The Division may conduct driver improvement clinics for the benefit of those who have been convicted of one or more violations of this Chapter. Each driver attending a driver improvement clinic shall pay a fee of eighty-three dollars and fifty cents (\$83.50).

§ 20-16(e1) Notwithstanding any other provision of this Chapter, if the Division suspends the license of an operator pursuant to subdivisions (a)(9), (a)(10), or (a)(10a) of this section, upon the first suspension only, a district court judge may allow the licensee a limited driving privilege or license for a period not to exceed 12 months, provided he has not been convicted of any other motor vehicle moving violation within the previous 12 months. The limited driving privilege shall be issued in the same manner and under the terms and conditions prescribed in G.S. 20-16.1(b)(1), (2), (3), (4), and (5).

§ 20-16(e2) If the Division revokes a person's drivers license pursuant to G.S. 20-17(a)(16), a judge may allow the licensee a limited driving privilege for a period not to exceed the period of revocation. The limited driving privilege shall be issued in the same manner and under the terms and conditions prescribed in G.S. 20-16.1(b)(1), (2), (3), (4), (5), and (g).

APPARATUS I
44 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.



Nº	YEAR	ACT	CHARACTER
01	1935	c. 52, s. 11	ENACTED
02	1947	c. 893, ss. 1, 2	AMENDED
03	1947	c. 1067, s. 13	AMENDED
04	1949	c. 373, ss. 1, 2	AMENDED
05	1949	c. 1032, s. 2	AMENDED
06	1953	c. 450	AMENDED
07	1955	c. 1152, s. 15	AMENDED
08	1955	c. 1187, ss. 9-12	AMENDED
09	1957	c. 499, s. 1	AMENDED
10	1959	c. 1242, ss. 1-2	AMENDED
11	1961	c. 460, ss. 1, 2(a)	AMENDED
12	1963	c. 1115	AMENDED
13	1965	c. 130	AMENDED
14	1967	c. 16	AMENDED
15	1971	c. 234, ss. 1, 2	AMENDED
16	1971	c. 793, ss. 1, 2	AMENDED
17	1971	c. 1198, ss. 1, 2	AMENDED
18	1973	c. 17, ss. 1, 2	AMENDED
19	1975	c. 716, s. 5	AMENDED
20	1977	c. 902, s. 1	AMENDED
21	1979	c. 36	AMENDED
22	1979	c. 667, ss. 18, 41	AMENDED
23	1981	c. 412, s. 4	AMENDED

24	1981	c. 747, ss. 33, 66	AMENDED
25	1981	1981 (Reg. Sess., 1982), c. 1256	AMENDED
26	1983	c. 435, s. 10	AMENDED
27	1983	c. 538, ss. 3-5	AMENDED
28	1983	c. 798	AMENDED
29	1983	1983 (Reg. Sess., 1984), c. 1101, s. 4	AMENDED
30	1987	c. 744, ss. 1, 2	AMENDED
31	1987	1987 (Reg. Sess., 1988), c. 1037, s. 75	AMENDED
32	1989	c. 784, s. 9	AMENDED
33	1991	c. 682, s. 3	AMENDED
34	1999	S.L. 1999-330, s. 7	AMENDED
35	1999	S.L. 1999-452, s. 10	AMENDED
36	2000	S.L. 2000-109, s. 7(d)	AMENDED
37	2000	S.L. 2000-117, s. 2	AMENDED
38	2000	S.L. 2000-155, s. 10	AMENDED
39	2001	S.L. 2001-352, s. 2	AMENDED
40	2004	S.L. 2004-172, s. 3	AMENDED
41	2004	S.L. 2004-193, ss. 2, 3	AMENDED
42	2005	S.L. 2005-276, s. 44.1(d)	AMENDED
43	2015	S.L. 2015-241, s. 29.30(d)	AMENDED
44	2025	S.L. 2025-45, s. 8(a)	AMENDED

APPARATUS II
10 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 20-309(a3)	(a)(6a)	<i>"(Effective July 1, 2026) Has violated"</i>
G.S. 20-12.1	(a)(8a)	<i>"been convicted of impaired instruction under"</i>
G.S. 20-138.1	(a)(8b)	<i>"conduct that constitutes impaired driving under"</i>
G.S. 20-158(b)(2)	(c)	<i>"pursuant to"</i>

G.S. 14-399	(c)	"Littering pursuant to"
G.S. 20-140(f)	(c)	"and reckless driving in violation of"
G.S. 20-141(j)3	(c)	"Speeding in violation of"
G.S. 20-16.1(b)(1), (2), (3), (4), and (5) ^(e1)		"the terms and conditions prescribed in"
G.S. 20-17(a)(16)	(e2)	"a person's drivers license pursuant to"
G.S. 20-16.1(b)(1), (2), (3), (4), (5), and (g) ^(e2)		"the terms and conditions prescribed in"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 20-16 (2025).

PINPOINT

N.C. Gen. Stat. § 20-16(a) (2025).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1935, c. 52, s. 11; 1947, c. 893, ss. 1, 2; c. 1067, s. 13; 1949, c. 373, ss. 1, 2; c. 1032, s. 2; 1953, c. 450; 1955, c. 1152, s. 15; c. 1187, ss. 9-12; 1957, c. 499, s. 1; 1959, c. 1242, ss. 1-2; 1961, c. 460, ss. 1, 2(a); 1963, c. 1115; 1965, c. 130; 1967, c. 16; 1971, c. 234, ss. 1, 2; c. 793, ss. 1, 2; c. 1198, ss. 1, 2; 1973, c. 17, ss. 1, 2; 1975, c. 716, s. 5; 1977, c. 902, s. 1; 1979, c. 36; c. 667, ss. 18, 41; 1981, c. 412, s. 4; c. 747, ss. 33, 66; 1981 (Reg. Sess., 1982), c. 1256; 1983, c. 435, s. 10; c. 538, ss. 3-5; c. 798; 1983 (Reg. Sess., 1984), c. 1101, s. 4; 1987, c. 744, ss. 1, 2; 1987 (Reg. Sess., 1988), c. 1037, s. 75; 1989, c. 784, s. 9; 1991, c. 682, s. 3; 1999-330, s. 7; 1999-452, s. 10; 2000-109, s. 7(d); 2000-117, s. 2; 2000-155, s. 10; 2001-352, s. 2; 2004-172, s. 3; 2004-193, ss. 2, 3; 2005-276, s. 44.1(d); 2015-241, s. 29.30(d); 2025-45, s. 8(a).)

