How to Get a North Carolina Limited Driving Privilege if Your North Carolina Driver’s License is Suspended by a DWI or DUI in Another State

If you are a resident of North Carolina convicted of DWI or DUI in Federal Court or in another state, your North Carolina driver’s license may be suspended by the NC DMV for the out of state or federal conviction. The out-of-state DWI must be substantially similar to the North Carolina offense of driving while impaired under 20-138.1 for the NC DMV to issue a revocation based on a DWI / DUI conviction.

If your North Carolina Driver’s License is suspended for a DWI / DUI conviction out-of-state, it may be possible to obtain a limited driving privilege immediately after the revocation for the out-of-state conviction for impaired driving.

Here are the steps to getting a driving privilege following a revocation for an out-of-state impaired driving conviction:

1)   **Meet other eligibility requirements for obtaining a limited driving privilege**.  If you (a) have no other suspensions in effect at the time of request, (b) have not been convicted of a DWI in the last seven years, and (c) have not pending unresolved charges of DWI, then you likely are eligible to request a limited driving privilege.

2)   **Obtain a DL-123 form from your auto insurance**. This is a form issued by your auto insurance. These forms are only valid for 30 days, so it is wise to wait until immediately before requesting the privilege to obtain this form.

3)   **Obtain an alcohol assessment**.

4) **Prepare a Petition for Limited Driving Privilege DWI Out-of-State / Federal Convictions AOC-CV-350**. The petition must be filed in the county where the impaired driving violation is alleged to have occurred.  This is a request for a judicial hearing at which you can request the pretrial limited driving privilege.

5)   **Prepare an out of state conviction limited driving privilege for an out-of-state conviction AOC-CV-352)**.  Both sides of this two-sided form must be completed.

6)   **If you work during non-standard business hours, obtain a letter from your employer stating the hours that you are required to work**.  According to the limited driving privilege, standard business hours are Mon-Fri from 6 AM – 8 PM.  If you have to drive for work purposes outside of these hours, then you may need documentation from your employer stating what your hours are, or that you are on-call 24 hours a day.

7)   **Take your driving privilege and other documents to court on the date that the clerk assigns after you have petitioned for the limited driving privilege**. This is the opportunity for you to present you refusal limited driving privilege, DL-123, alcohol assessment, and letter from your employer (if necessary) to have your privilege signed and sealed.

8)   **Pay $100.00 to the clerk’s office for the limited driving privilege**.

9)   **Drive only within the parameters of limited driving privilege**!

If you would like to discuss your eligibility for a North Carolina limited driving privilege or have an attorney help you draft the legal documents necessary for obtaining the privilege, call our office now.