# STATE OF NORTH CAROLINA

File No.

_____ County

In The General Court Of Justice
District Court Division

**IN THE MATTER OF**

*Name And Address*

## REVOCATION ORDER WHEN PERSON NOT PRESENT

G.S. 20-16.5

*Spoken Language Court Interpreter Needed For Any Party, Victim, Or Witness? (If Yes, identify person(s) and language(s). Interpreters provided for all court proceedings at no cost.)*

☐ No ☐ Yes: *(explain)*

## FINDINGS FOR PROBABLE CAUSE

The undersigned judicial official finds probable cause to believe that:

1. A law enforcement officer had reasonable grounds to believe that the above-named person committed an offense subject to the implied-consent provisions of G.S. 20-16.2;
2. The above-named person has been charged with that offense as provided in G.S. 20-16.2(a);
3. Both the law enforcement officer and the chemical analyst(s) complied with the provisions of G.S. 20-16.2 and 20-139.1 in requiring the above-named person's submission to or procuring a chemical analysis; and
4. The above-named person:
   - ☐ a. willfully refused to submit to a chemical analysis.
   - ☐ b. had an alcohol concentration of 0.08 or more at any relevant time after the driving.
   - ☐ c. had an alcohol concentration of 0.04 or more at any relevant time after the driving of a commercial motor vehicle.
   - ☐ d. had any alcohol concentration at any relevant time after the driving, and at the time of the offense, was under 21 years of age.

☐ 5. The above-named person has one or more pending offenses in the following county(ies) _____

_____ for which the person's driver's license had been or is revoked under G.S. 20-16.5.

## ORDER

It is ORDERED that the above-named person's **drivers license or privilege to drive be revoked**, and the above-named person is prohibited from operating a motor vehicle on the highways of North Carolina during the period of revocation; and the revocation remains in effect **at least thirty (30) days** from:

☐ 1. the date he/she surrenders his/her drivers license or privilege to drive to the court, or demonstrates that he/she is not currently licensed to drive, if he/she does so within five (5) working days of the effective date of this Order *(the failure of the above-named person to act within five (5) working days will result in a longer revocation period as explained in the Notice below)*; or

☐ 2. *(check this option if Finding No. 5 is checked)* the date he/she surrenders his/her drivers license or privilege to drive to the court, or demonstrates that he/she is not currently licensed to drive, if he/she does so within five (5) working days of the effective date of this Order *(the failure of the above-named person to act within five (5) working days will result in a longer revocation period as explained in the Notice below)*, **and** indefinitely until a final judgment, including appeals, has been entered for the current offense and for all pending offenses for which his/her drivers license or privilege to drive had been or is revoked under G.S. 20-16.5.

**The above-named person's privilege to drive in North Carolina is revoked and will remain revoked until the person has actually surrendered his/her license for the period specified above and has paid the fee required by G.S. 20-16.5(j) to the Clerk of Superior Court.**

I am informing the above-named person of his/her right to a hearing by explaining this right in the Notice below. I am delivering a copy of this Order to him/her by depositing it in the United States mail as provided in G.S. 20-16.5(f).

**EFFECTIVE DATE OF ORDER:** 12:01 a.m., _____, _____

**NOTE:** *The effective date specified herein is four (4) days after the Order is mailed. Count the four (4) days beginning with the day following the day of mailing pursuant to G.S. 1A-1, Rule 6. See reverse for Supplemental Findings and Order, and for Disposition of License or Privilege.*

| *Date* | *Signature Of Judicial Official* | ☐ *Deputy CSC* ☐ *Assistant CSC* ☐ *Clerk Of Superior Court* |
|---|---|---|
| | | |

### NOTICE TO PERSON WHOSE DRIVERS LICENSE OR PRIVILEGE TO DRIVE IS ORDERED REVOKED:

- **Your license to drive is revoked as of the effective date shown above.** If within five (5) working days of the effective date of this Order you surrender your drivers license to the Clerk of Superior Court or show you are not licensed to operate a motor vehicle, this Revocation remains in effect for at least a thirty (30) day period beginning on the date you surrender your license or make the showing. If you fail to do so, this Revocation remains in effect for at least a forty-five (45) day period beginning on the date you surrender your license or make the showing. Appearance before the Clerk of Superior Court must be made between 8:30 a.m. and 5:00 p.m., Monday through Friday. Your failure to appear before the Clerk of Superior Court may result in a law enforcement officer seizing your license or requiring you to demonstrate you are not licensed. In this event, this Revocation remains in effect for at least a forty-five (45) day period which will not begin until the officer seizes your license or you demonstrate you are not licensed.
- If at time of this Order you have only a temporary driving certificate, you must surrender the certificate, and then you also must surrender your license card immediately when you later receive it in the mail from DMV.
- If your license is revoked under Paragraph 1 of this Order, at the end of the revocation period you are still prohibited from driving until you have paid the fee required by G.S. 20-16.5(j) to the Clerk of Superior Court. For payments before 12/1/2026, the fee is $100, but on or after 12/1/2026, the fee is $200.
- If your license is revoked under Paragraph 2 of this Order, this Revocation remains in effect for at least the thirty (30) or forty-five (45) days explained above and until a final judgment, including appeals, is entered for this current offense and for all pending offenses for which your license has been or is revoked under G.S. 20-16.5. At the end of the revocation period you are still prohibited from driving until you have paid the fee required by G.S. 20-16.5(j) to the Clerk of Superior Court. This fee is in addition to any fee you have paid or are to pay in connection with any other pending offense for which your drivers license has been revoked under G.S. 20-16.5.
- The required fee may be paid at any time, *even prior to the end of the period of revocation*, between the hours of 8:30 a.m. and 5:00 p.m., Monday through Friday. Payment in person may be made by certified check, cashier's check, or money order, made payable to "Clerk of Superior Court of [X] County," where "[X]" is the county name. If paying in person to the clerk, you also may pay in cash, or by credit/debit card (plus processing fees). Payment by mail must be made by certified check, cashier's check, or money order, made payable to "Clerk of Superior Court of [X] County," where "[X]" is the county name. If you wish to have your drivers license returned to you by mail, please enclose a stamped, self-addressed envelope with your payment.

Original - File Copy - Person Whose License Revoked

**NOTICE TO PERSON WHOSE DRIVERS LICENSE OR PRIVILEGE TO DRIVE IS ORDERED REVOKED (continued):**

- If prior to the effective date of this Order you were not licensed by the North Carolina Division of Motor Vehicles or did not have a valid license from another state, an additional $50 restoration fee must be paid to the Division of Motor Vehicles before you can drive again in North Carolina. This fee must be paid even though you are a resident of another state.
- You have a right to a hearing to contest the validity of this Revocation before either a magistrate or a judge. To do so, a written request must be made within ten (10) days of the effective date of the Revocation. A hearing request form is available from the office of the Clerk of Superior Court or magistrate. Your license will remain revoked and you are not authorized to drive pending this hearing. If you do request a hearing but fail to appear, you forfeit the right to a hearing.

**IT IS UNLAWFUL FOR YOU TO DRIVE A MOTOR VEHICLE IN THE STATE OF NORTH CAROLINA UNTIL YOU ARE AUTHORIZED TO DO SO. THE DIVISION OF MOTOR VEHICLES MAY ALSO DISQUALIFY YOU FROM OPERATING A COMMERCIAL MOTOR VEHICLE UNDER G.S. 20-17.4.**

## SUPPLEMENTAL FINDINGS AND ORDER

It is further found that:

☐ 1. The person named herein appeared before the Clerk of Superior Court at _____ ☐ AM ☐ PM on the _____ day of _____ , _____ , which ☐ is ☐ is not within five (5) working days of the effective date of this Revocation Order.

☐ 2. The person:

- ☐ a. surrendered his/her drivers license to the Court.
- ☐ b. was validly licensed but unable to locate his/her license card and filed an affidavit which constituted surrender of the drivers license.
- ☐ c. demonstrated he/she was not currently authorized to drive in North Carolina.

It is ORDERED that this Revocation:

☐ 1. remains in effect for at least ☐ thirty (30) days ☐ forty-five (45) days from the date set forth above and until payment of the fee required by G.S. 20-16.5(j) to the Clerk of Superior Court.

☐ 2. *(check this option if Findings For Probable Cause No. 5 on the reverse side is checked)* is indefinite and remains in effect for at least ☐ thirty (30) days ☐ forty-five (45) days from the date set forth above and until a final judgment, including appeals, has been entered for the current offense and for all pending offenses for which his/her drivers license had been or is revoked under G.S. 20-16.5, and until payment of the fee required by G.S. 20-16.5(j) to the Clerk of Superior Court.

| *Date* | *Signature* | ☐ *Deputy CSC* ☐ *Assistant CSC* ☐ *Clerk Of Superior Court* |
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It is further found that a Pick-Up Order was issued for the license of the person named herein, and the person on the _____ day of _____ , _____:

☐ 1. surrendered his/her license to the officer serving the Pick-Up Order.

☐ 2. demonstrated to the officer serving the Pick-Up Order that he/she was not currently authorized to drive in North Carolina.

It is ORDERED that this Revocation:

☐ 1. remains in effect for at least forty-five (45) days from the above date and until payment of the fee required by G.S. 20-16.5(j) to the Clerk of Superior Court.

☐ 2. *(check this option if Findings For Probable Cause No. 5 on the reverse side is checked)* is indefinite and remains in effect for at least forty-five (45) days from the above date and until a final judgment, including appeals, has been entered for the current offense and for all pending offenses for which his/her drivers license had been or is revoked under G.S. 20-16.5, and until payment of the fee required by G.S. 20-16.5(j) to the Clerk of Superior Court.

| *Date* | *Signature* | ☐ *Deputy CSC* ☐ *Assistant CSC* ☐ *Clerk Of Superior Court* |
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## DISPOSITION OF LICENSE OR PRIVILEGE

☐ 1. Drivers license of person named herein returned to him/her, and receipt by him/her is acknowledged below.

☐ 2. At the licensee's request, license returned to him/her by mail. License mailed on the date shown below.

☐ 3. License mailed to Division of Motor Vehicles on date shown below, since the person named herein is not eligible to use the license for the following reason:

☐ 4. Limited driving privilege withheld and record forwarded to _____ County.

☐ 5. Other: _____.

| *Date* | *Signature* |
|---|---|
| | |
| *Date License Mailed* | ☐ *Deputy CSC* ☐ *Assistant CSC* ☐ *Clerk Of Superior Court* |
| | |

## ACKNOWLEDGMENT OF RECEIPT

I acknowledge receipt of my license.

| *Date* | | *Signature Of Licensee* |
|---|---|---|
| | | |
| *Date Fee Paid* | *Signature* | ☐ *Deputy CSC* ☐ *Assistant CSC* ☐ *Clerk Of Superior Court* |
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