

July
2025

Driver's License Suspensions in North Carolina

By Rita L. Grunberg and Brandon L. Garrett



WILSON
CENTER FOR SCIENCE AND JUSTICE
AT DUKE LAW



Background

The most common interaction that people have initiated by police is the traffic stop. Two-thirds of Americans report traffic stops as their most recent police contact.¹ Tens of millions of drivers each year are stopped by police, and many are given traffic tickets or citations.² These citations initiate court processes that can have consequences far beyond the original violation. For those who cannot pay their fines and fees, the legal consequences are severe, including the loss of driver's licenses and the substantial hardship that results.^{3,4}

Courts have recognized the fundamental importance of driving privileges. The U.S. Supreme Court emphasized this in its ruling in *Bell v. Burson* explaining that given the “substantial” interest in driving: “Once [driver’s] licenses are issued . . . their continued possession may become essential in the pursuit of a livelihood. . . . [L]icenses are not to be taken away without that procedural due process required by the Fourteenth Amendment.”⁵ And yet, until recently, all states suspended driver’s licenses for non-driving-related conduct, such as nonpayment of fines and fees, failure to appear in court, failure to maintain insurance, and failure to pay child support.⁶ Those policies were chiefly designed to ensure compliance with court orders and legal rules, rather than to promote safe driving. In recent years, half of the states have reconsidered or eliminated such policies; some were challenged in litigation as due process violations.⁷

For decades, North Carolina has adopted rules permitting indefinite suspensions of driver’s license suspensions for non-driving-related reasons like failure to pay or appear in court in a traffic case. In a 2020 study by the Wilson Center, we reported that one in seven adult drivers had indefinite suspensions, or over 1.2 million people.

In Spring 2024, we received the most complete data so far available in North Carolina concerning people with paid and unpaid court debt in traffic cases, as well as resolved and unresolved driver’s license suspensions from the North Carolina Administrative Office of the Courts (AOC). We are grateful to the AOC and to the North Carolina Equal Access to Justice Commission for sharing these data with us and for answering questions as we examined these data. Our role has been to analyze and share descriptive statistics concerning North Carolina traffic cases with such suspensions. We have also made aggregate data available through an interactive online dashboard so that people can interact with the data and examine local patterns. That dashboard is available here: <https://wcsj-dukelow.shinyapps.io/ftaftc-dashboard2/>.

We encourage people to interact with the data on this dashboard. In this report, we provide an overview of what we found and what can be done using this dashboard.



The Criminal Law of Failure to Appear and Comply in North Carolina

Driver's licenses can be suspended in North Carolina for a range of reasons. The two most common reasons, in cases in which a person was charged with a motor-vehicle offense are: failure to appear ("FTA") for a court date⁸ and failure to comply ("FTC") with a fine, penalty, or court costs.⁹ These statutory requirements date back to legislation enacted in 1985.^{8, 10}

- **Failure to appear (FTA):** If a person misses their court date, the court sends notice to the DMV 20 days after the missed court date and adds a \$200 fee for the non-appearance. The person has 60 days to resolve the matter or the DMV suspends their driver's license.
- **Failure to comply (FTC):** If a person does not pay their traffic fine or fee within 40 days of the due date, the court notifies the DMV. The person has 60 days to pay the amount owed or the DMV suspends their driver's license.
- **How FTA and FTC interact:** For an FTC, the relevant fines include the fines imposed for the traffic offense itself, as well as additional costs, which may include a fee for an FTA. As a result, an initial FTA may result in an FTC as well.

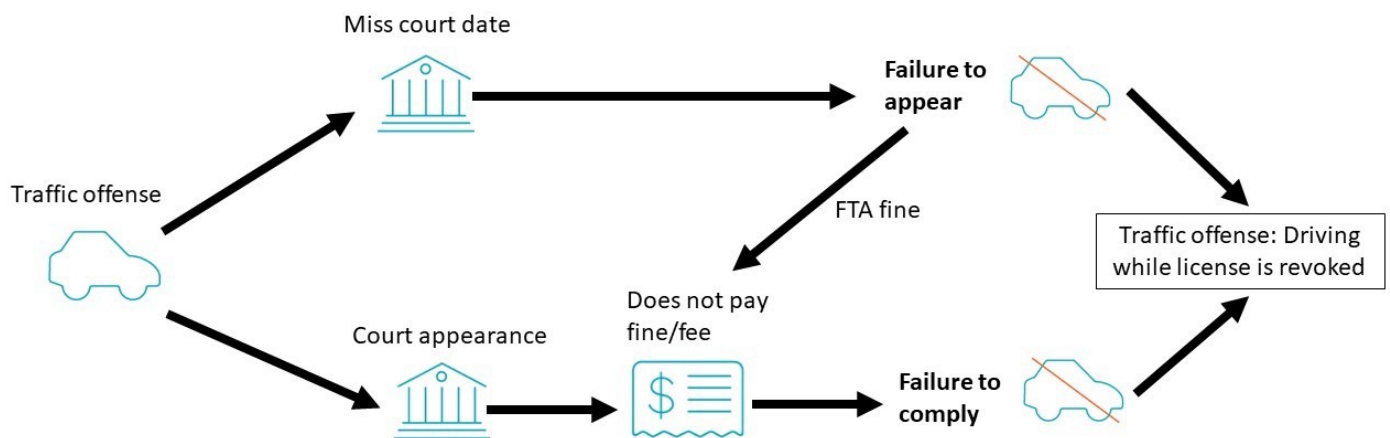




For FTA cases, the driver’s license suspension remains in place until the person “disposes of the charge” or shows that they were not the person charged with the offense.⁹ For an FTC, the person may resolve the revocation by paying the full amount or by demonstrating that the failure “was not willful” and that the person “is making a good faith effort to pay” or that the amount “should be remitted.”¹¹ If one of those conditions for restoration is met before the effective date of the revocation order, the license is restored; however, if that date has expired, then the person must pay the DMV restoration fee and satisfy DMV requirements to receive a new license.¹² A judge may supply limited driving privileges so a person can drive to work or receive emergency medical care while a revocation remains in place.¹³

Driving while a license is revoked (DWLR) is a criminal offense resulting in an added fine and up to twenty days in jail.¹⁴ Yet cases with DWLR as the highest charge represent almost 20% of all misdemeanor motor vehicle cases in North Carolina district court, or almost 200,000 cases per year,¹⁵ and DWLR has consistently remained at that level for over a decade. This demonstrates how prior suspensions result in a cycle in which large numbers of people must continue to drive and receive further DWLR charges.

Figure 1. Pathways Towards a Driver’s License Suspension



Summary of 2024 North Carolina Driver's License Suspensions

These data were provided, as noted, by the AOC. The dataset includes cases in which courts reported an FTC and an FTA from the late 1980s until the time of data sharing on January 9, 2025. Our estimates are based on cases with FTAs and FTCs entered during that time.

Overview of the 2024 AOC Data

These data include two data extracts: one including 51 counties that have yet to transition to eCourts and another including 49 counties with eCourts data, including Track one to six. These data are filtered to only include traffic cases (charged under NC GS Chapter 20) with FTAs and/or FTCs entered. Cases that include people with no birthdate were also excluded. In total, there are 7,975,941 traffic cases and 3,927,859 people represented in these data.

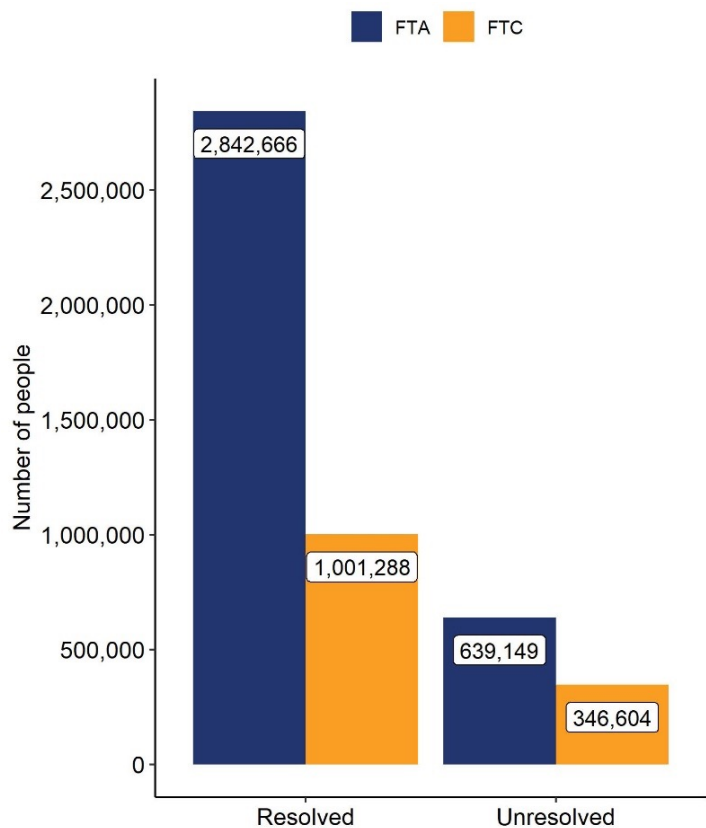
Descriptive data on resolved and unresolved driver's license suspensions

As of January 9, 2025, the estimated number of people with either an unresolved FTA or FTC in North Carolina is 898,953. That constitutes about one in ten adult drivers in the state (there are just under 8 million licensed drivers in North Carolina).¹⁶

Of these people, 639,149 have an unresolved FTA and 346,604 have an unresolved FTC (Figure 2). As in the past, FTAs are more common than FTCs. About 10% of people have both an unresolved FTA and FTC, which amounts to 86,800 people. We note that when people have both an unresolved FTA and unresolved FTC, these can stem from multiple cases in multiple counties at different time points.

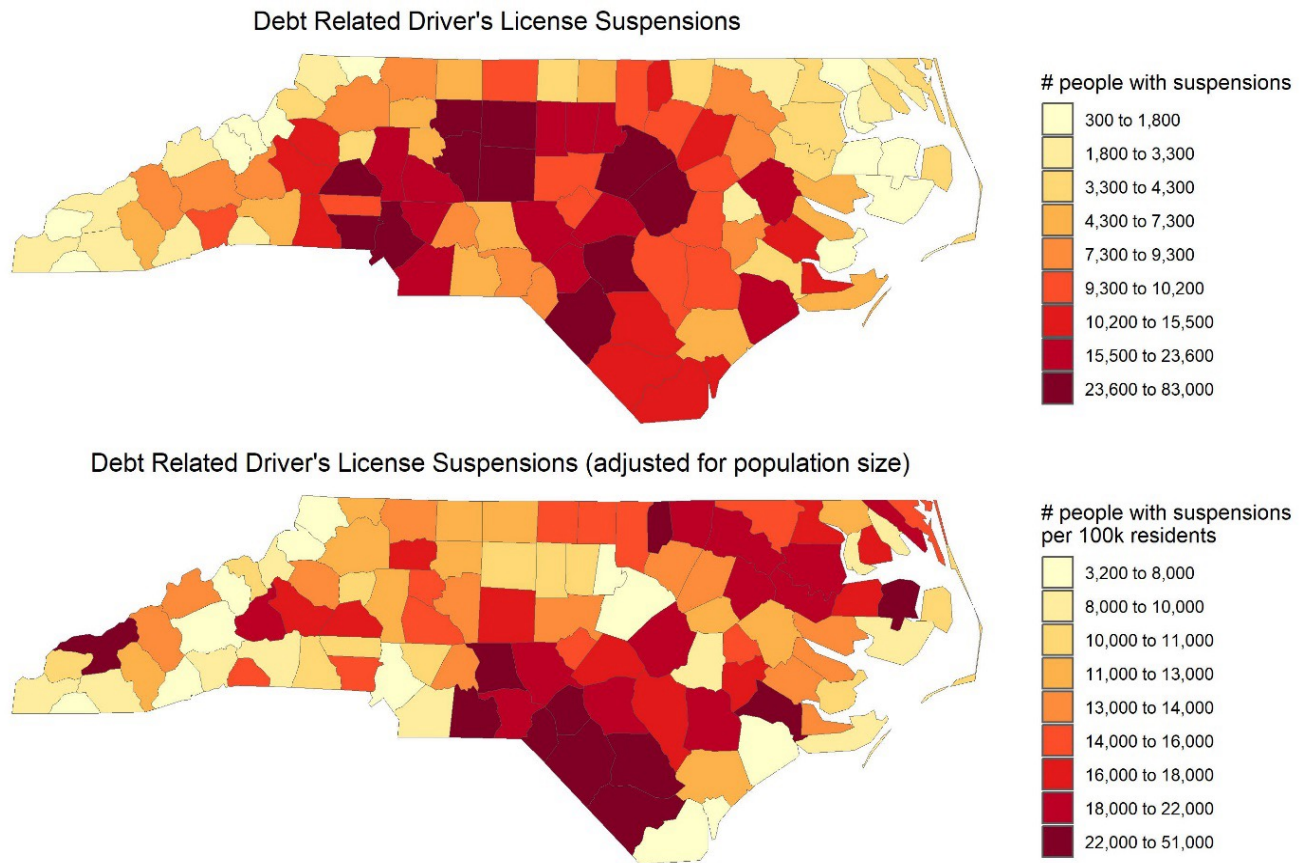
The data dashboard can be used to examine specific NC counties to determine how many

Figure 2. Numbers of People with Resolved and Unresolved FTAs and FTCs in North Carolina



people have unresolved and resolved FTAs or FTCs. Here, we present a map that displays the number of people with either an unresolved FTA or FTC in each county. One map shows the raw number of people, and one map adjusts for population size of that county (this reports suspensions per 100,000 people in the county to account for differences in population size) (Figure 3).

Figure 3. Debt-Related Drivers' License Suspensions by County in North Carolina



For those who were able to resolve an FTA or an FTC, the statewide average time to do so for an FTA was 1,605 days (median=378 days), and for an FTC it was 927 days (median=175 days). The time to resolve varies considerably across NC counties. For FTAs, the county with the lowest average time to resolve was 640 days (lowest median=163 days) and highest was 2,725 days (highest median=1,267 days). For FTCs, the county with the lowest average time to resolve was 414 days (lowest median=71 days) and highest was 2,961 days (highest median=1,452 days).

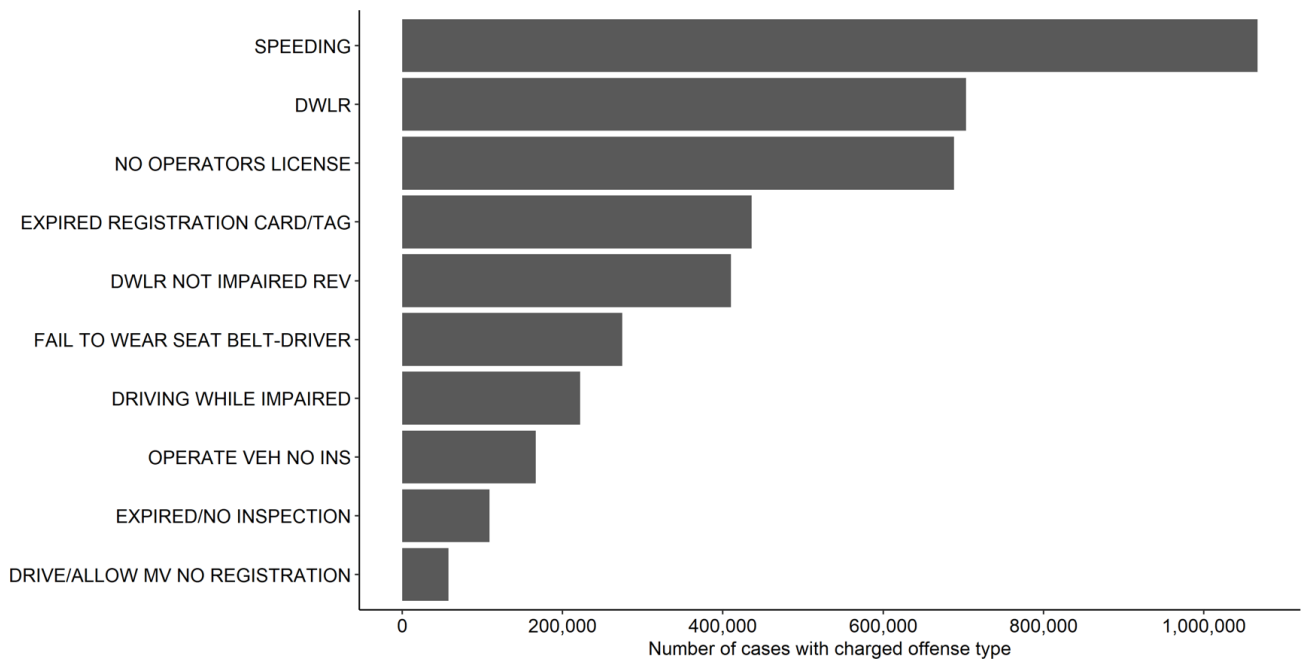
We also categorized the time to cure into four categories: cases where the FTA or FTC was cured within the first month, two to twelve months, one to two years, or more than two years. For those who do resolve an FTA, about half do so in the first twelve months. For an FTC, about two thirds do so in the first twelve months.

Figure 4. Time to resolve FTA and FTC Cases in North Carolina



The most common charges associated with these indefinite suspensions, whether for FTAs or FTCs, or both, include speeding, driving with a revoked license, and no operator's license.

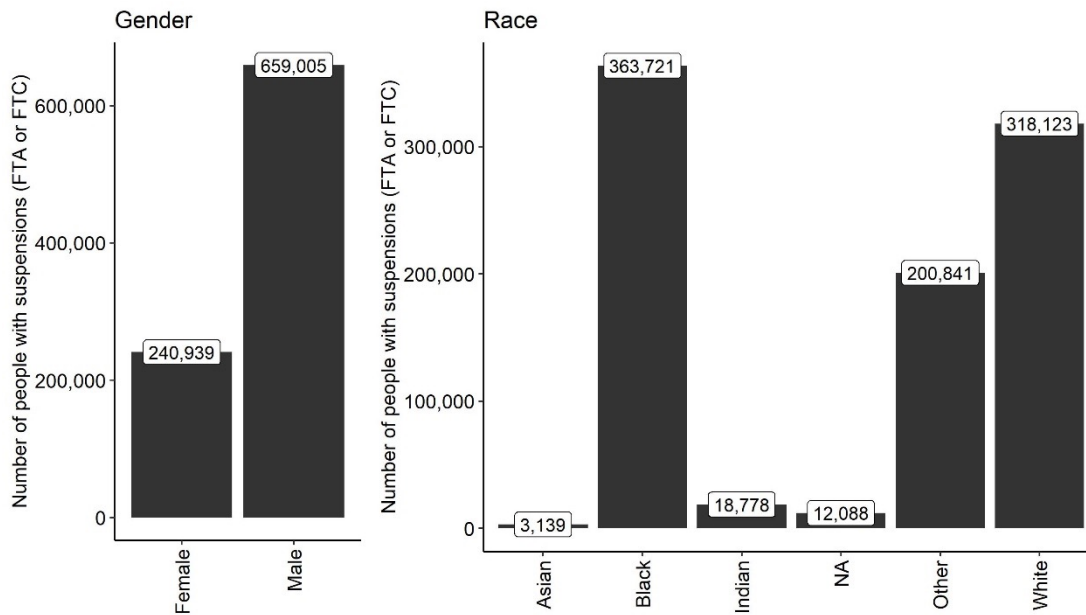
Figure 5. The Top Ten Most Common Charges in Debt Related Driver's License Suspension Cases in North Carolina



Descriptive data on cured and uncured court debt

We also report the demographic of those with resolved and unresolved driver's license suspensions in traffic cases in North Carolina. Information about race was provided by AOC; current ethnicity information is not available.¹ For both FTAs and FTCs, Black people are disproportionately impacted, as they account for almost 40% of the people with resolved FTAs and FTCs (Figure 6), but according to the 2020 US Census data Black people make up 20.5% of the population in NC.

Figure 6. Demographics of Debt Related Driver's License Suspensions in North Carolina



Conclusion

Again, we encourage readers to use this dashboard to examine patterns in North Carolina cases in which driver's licenses were suspended, as well as where the underlying suspensions were resolved and cured. For additional resources regarding our work examining these data, you can review several prior reports and publications on the Wilson Center [website](#).



Endnotes

¹ Tapp, S.N. and E.J. Davis, *Contacts Between Police and the Public*. 2022, Bureau of Justice Statistics.

² *Stanford Open Policing Project*. Available from: <https://openpolicing.stanford.edu/findings/>.

³ Sobol, N.L., *Fighting Fines & Fees: Borrowing From Consumer Law to Combat Criminal Justice Debt Abuses*. University of Colorado Law Review, 2017.

⁴ Harris, A., M. Pattillo, and B.L. Sykes, *Studying the System of Monetary Sanctions*. RSF, 2022. **8**(1): p. 1-33.

⁵ *Bell v. Burson*. 1971, U.S. Supreme Court.

⁶ Crozier, W.E. and B.L. Garrett, *Driven to Failure: An Empirical Analysis of Driver's License Suspension in North Carolina*. Duke Law Journal, 2020. **69**: p. 1585-1641

⁷ *Free to Drive*. Available from: <https://www.freetodrive.org>.

⁸ N.C. Gen. Stat. § 20-24.1(a)(1).

⁹ N.C. Gen. Stat. § 20-24.1(a)(2).

¹⁰ Denning, S. *Revoking Licenses for Failure to Pay: Is Change on the Horizon?* Available from: <https://nccriminallaw.sog.unc.edu/revoking-licenses-for-failure-to-pay-is-change-on-the-horizon/>.

¹¹ N.C. Gen. Stat. § 20-24.1(b)(3)–(4).

¹² N.C. Gen. Stat. § 20-24.1(c).

¹³ Denning, S. *2024 Changes to Laws Governing Limited Driving Privileges and Requiring Ignition Interlock*. Available from: <https://nccriminallaw.sog.unc.edu/2024-changes-to-laws-governing-limited-driving-privileges-and-requiring-ignition-interlock/>.

¹⁴ N.C. Gen. Stat. § 20-28(a1).

¹⁵ N.C. Administrative Office of the Courts, *Misdemeanor Motor Vehicle Case Activity Report*. Available from: <https://www.nccourts.gov/documents/publications/misdemeanor-motor-vehicle-case-activity-report>.

¹⁶ Federal Highway Administration., *Licensed Drivers by Sex and Ration to Population – 2022*. Available from: <https://www.fhwa.dot.gov/policyinformation/statistics/2022/pdf/dl1c.pdf>.

About Us

The Wilson Center for Science and Justice brings together faculty and students at Duke University in law, medicine, behavioral health, public policy, and arts and sciences to pursue research, policy, and education to improve criminal justice outcomes. Our work is non-partisan and evidence-informed. We engage with community stakeholders, academics, and policy makers to create safer communities and a fairer criminal legal system. Learn more about the Center at wcsj.law.duke.edu.

Disclaimer: The information provided in this report does not represent the institutional position of Duke University as a whole and is provided for educational and research purposes only.