



# CMPD POLICE LAW BULLETIN

## A Police Legal Newsletter

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**Forward:** In this issue, we are providing summaries of selected laws enacted by the General Assembly in the 2003 Legislative Session. Please contact the Police Attorney's Office if you would like a copy of a particular law.)

### LEGISLATION ENACTED – 2003

#### I. Motor Vehicle Law:

##### 1. Civil Parking/Red Light Prima Facie Rule. H786:

- Provides that the prima facie rule for parking applies to civil parking and red light camera enforcement actions.
- Adds subsection to G.S. §160A-301 (which permits cities to regulate parking), providing that the owner of a leased or rented vehicle is not liable for a violation if the owner gives the city an affidavit giving the name and address of lessee or renter.
- Provides that where a traffic infraction was recorded by a traffic control photographic system, and an owner who leased or rented the vehicle and received notice of the infraction within 90 days, will be excused from the infraction, if the owner provides an affidavit including the name and address of the lessee within 30 days of receiving the notice.
- If the notice of the violation is not received within 90 days, the owner shall not be held responsible for the violation.
- **Effective 8/01/03. Expires 6/30/06.**

##### 2. Notifications before Towing Charges. H944:

- G.S. §20-77(d) is rewritten and applies to any operator of a business that stores vehicles for the public.
- After a vehicle is unclaimed for 10 days, or abandoned for 30 days, the operator of the business must report to the DMV that the vehicle is unclaimed.
- Failure to report is a Class 3 misdemeanor.
- The operator may not collect storage fees for the time period between when they were required to report and when they actually sent the report to DMV by certified mail.
- **Effective 10/01/03.**

##### 3. Disclosure of Prior Motor Vehicle Damage. S558:

- Consumer protection bill.
- Establishes better disclosure when a car has been declared a total loss.



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- Clarifies that the cost of replacing the airbag system is not part of the loss calculated when determining the percentage of the loss caused by the damage.
  - **Effective 12/01/03.**
- 4. Improper Equipment included in Speeding. H510:**
- Adds new G.S. §20-141(o) to include a violation of G.S. §123.2 (speedometer) as a lesser Included offense in a speeding violation.
  - **Effective 12/31/03.**
- 5. Presumption-DWI Blood Withdrawal Valid. S449:**
- Amends G.S. §20-139.1(c).
  - Provides that the qualifications of the person who withdrew blood may be proven by the charging officer or by an affidavit of the person who drew the blood.
  - **Effective 12/31/03.**
- 6. Hit and Run-2 Year License Revocation. H963:**
- Amends G.S. §20-166.
  - Provides for one year license revocation for those convicted of hit and run but provides that DMV (rather than the court) may revoke a defendant's driver's license for an additional year, if the court makes a finding that a longer revocation is appropriate under the circumstances.
  - For a first offense, the judge may allow a limited driving privilege.
  - **Effective 12/01/03.**
- 7. "Quick Clearance" Act. H1140:**
- Rewrites G.S. §20-161 and amends G.S. §20-166.
  - Provides for the removal of vehicles, spilled cargo or other personal property from controlled access highways when such item interferes with the regular flow of traffic.
  - In the event of a motor vehicle crash involving serious personal injury or death, no removal shall occur until the investigating law enforcement officer determines that adequate information has been obtained.
  - Requires the owner of the vehicle to pay for costs of removal.
  - Provides that no governmental entity or agent shall be criminally or civilly liable for damages related to removal.
  - Includes provision allowing drivers to remove vehicles from travel lanes of a highway, ramps, median or adjacent areas following minor accidents, if the vehicles can be safely moved.
  - **Effective 10/01/03.**
- 8. Charlotte Photo Speed Measuring Systems. H562:**
- Act authorizes the City of Charlotte to use photographic speed-measuring devices to measure the speed of vehicles and produce images of vehicles violating speed limits for a three-year pilot program.



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- Statute identifies specific corridors on which the devices may be used and requires that signs be displayed indicating those corridors.
- Authorizes the NC Criminal Justice Education and Training Standards Commission and the Secretary of Crime Control and Public Safety to approve standards for the photographic speed-measuring systems.
- Authorizes the city to adopt an ordinance for civil enforcement of speed limit and school zone speed limit violations.
- Provides for a civil penalty of \$50.00 and provides that no points will be assigned to the driver.
- The ordinance shall provide that the owner is responsible for a violation unless the owner shows that the vehicle was at the time of the violation in the care, custody, or control of another person.
- Citations will be sent via certified mail or personal service and written in English and Spanish.
- The statute provides for a nonjudicial administrative hearing process to review objections, subject to review by the superior court.
- The clear proceeds of civil penalties, after paying for the operation of the system, administrative costs, etc., shall be paid to the county school fund.
- Amends G.S. §8-50.3 regarding the admissibility of the results of photographic speed-measuring instruments and provides that the results are admissible as evidence. (Also establishes standards such as calibration, etc.)
- **Effective 7/01/03. Expires 6/30/06.**

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## II. Criminal Law

### 1. Arson or other Unlawful Burning. S661:

- Adds a new section G.S. §14.69.3
- Makes it a Class E felony for a person who commits the felony of arson or other unlawful burning in which a firefighter or emergency medical technician suffers serious bodily injury.
- The firefighter/EMT must have been discharging or attempting to discharge their duties on the property or proximate to the property that was the subject of their duties.
- **Effective 12/01/03.**

### 2. Failure to Appear/Citation. H509/S440:

- Amends G.S. §15A-305(b) by providing that an order for arrest for failure to appear may be issued if a defendant who has been issued a citation for a misdemeanor fails to appear for court.
- **Signed into law on April 19, 2003 and effective immediately.**



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### 3. DNA Registry. H79:

- Requires a DNA sample from any person convicted of any felony, assault on handicapped persons, stalking, or who is found not guilty by reason of insanity.
- The sample is to be drawn upon intake to a jail or prison, or mental health facility. (Unless a DNA sample has previously been obtained.)
- Any person convicted on or after December 1, 2003, of any of those crimes, but not imprisoned, shall provide a DNA sample as a condition of the sentence.
- The SBI shall supply materials and supplies to the sheriff to draw samples from persons not sentenced to confinement.
- Rewrites G.S. §15A-166.12(b) to provide that only DNA records and samples that directly relate to the identification of an individual shall be collected and stored, and they shall be used solely as part of the criminal justice system for the purpose of facilitating the personal identification of the perpetrator of a criminal offense, or in appropriate circumstances, to identify potential victims of mass disasters or missing persons.
- **Effective 12/01/03.**

### 4. Assault in the Presence of a Minor/Enhance Penalty. H926:

- Amends G.S. §14-33(c).
- Provides that a person who commits any assault, assault and battery, or affray, inflicts serious injury upon another person, or uses a deadly weapon on a person with whom the person has a personal relationship, and in the presence of a minor, shall be placed on *supervised* probation in addition to any other punishment.
- A second or subsequent offense shall receive an active punishment of no less than 30 days in addition to any other punishment.
- “In the presence of a minor” means that the minor was in a position to have observed the assault.
- A minor is a person under age 18 who is residing with or is under the care and supervision of and who has a personal relationship with the person assaulted or the person committing the assault.
- Personal relationship means that defined in G.S. §50B-1(b) in the domestic violence provisions.
- **Effective 12/01/03**

### 5. Stalking/Supervised Probation is Minimum. H304:

- Amends G.S. §14-277.3(b) to provide that a defendant convicted of misdemeanor stalking who is sentenced to a community punishment shall be placed on *supervised* probation in addition to any other punishment.
- **Effective: 12/01/03.**

### 6. Pyrotechnic Regulation Enhanced. S521:

- Provides that a permit for indoor use of pyrotechnics at a concert or public exhibition may not be issued until the local fire marshal has certified that there is adequate fire suppression at the site, the structure is safe for the use of such pyrotechnics with the type of fire suppression to be used, and adequate egress from the building is available based on the size of the expected crowd.



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- Section applies to county commissioners or cities authorized to grant pyrotechnic permits.
- Violation at any indoor public exhibition is a Class 1 misdemeanor.
- **Effective on 7/04/03 but Section 3 is not effective until 12/01/03. (Violation a misdemeanor.)**

### 7. Hazing Laws. H1171:

- Rewrites G.S. §14-35 and repeals G.S. §14-36.
- Provides that it is unlawful for a student in attendance at any university, college or school in this state to engage in hazing.
- Hazing is defined as, “to subject another student to physical injury as part of an initiation, or as a prerequisite to membership, into any organized school group, including any society, athletic team, fraternity or sorority, or other similar group.”
- Violation is a Class 2 misdemeanor.
- **Effective 12/01/03.**

### 8. Sexual Battery. S912:

- Adds new G.S. §14-27.5A, creating the offense of sexual battery if a person engages in certain sexual contact with another person.
- Defines sexual contact to include touching which includes contact through the clothing of either the victim or defendant.
- Sexual contact means touching the sexual organ, anus, breast, groin, or buttocks of any person or a person touching another person with their own sexual organ, anus, breast, groin, or buttocks.
- Requires that the sexual contact be by force and against the will of the other person or upon an individual who is mentally disabled or physically helpless.
- Violation is a Class A1 misdemeanor.
- **Effective 12/01/03.**

### 9. Amend Secret Peeping Law. H408:

- Revises G.S. §14-202 to make the law gender neutral.
- Provides that it is a Class A1 misdemeanor to peep secretly into a room occupied by **any** persons, not just a female.
- Defines “room” and “photographic image” for purposes of the statute.
- Makes it a Class I felony to use any device to create a photographic image of another person in that room for the purpose of arousing or gratifying the sexual desire of any person.
- Provides that any person who secretly uses any device to create a photographic image of another person underneath or through the clothing being worn by that other person for the purpose of viewing the body of, or the undergarments worn by, that other person without their consent is guilty of a Class I felony.
- Provides that using or installing certain devices into a room without consent is a Class I felony. Disseminating a photographic image made in violation of this statute would be Class H felony.
- Provides that knowingly possessing a photographic image that the person knows or has reason to believe, was obtained in violation of this section is guilty of a Class I felony.



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- A second or subsequent felony conviction is punished one class higher. A second or subsequent conviction for a Class 1 misdemeanor shall be punished as a Class A1 misdemeanor. A second or subsequent conviction of Class A1 misdemeanor shall be punished as a Class I felony.
- The judge may require the defendant to obtain a psychological evaluation and comply with treatment for a first offense. On a second or subsequent conviction, the judge is required to impose that condition if probation is imposed.
- A victim whose image is captured has a civil cause of action.
- If a person is convicted of a second or subsequent felony violation of this section, the court *may* consider whether the defendant is a danger to the community and require *sex offender registration*.
- Exempts the legal activities of private protective services or alarm systems that are legally engaged in the discharge of their official duties and not engaged in an improper purpose as described in the act.
- **Effective 12/01/03.**

### 10. Prohibition of the Rebirthing Therapeutic Technique. S251:

- Adds G.S. §14-401.21 making it unlawful for a person to practice the technique of rebirthing which involves restraint and creates a situation in which a patient may suffer physical injury or death.
- First offense is a Class A1 misdemeanor.
- Second offense is a Class I felony.
- **Effective 12/01/03.**

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## III. Weapons

### 1. Reciprocal Concealed Handgun Rights to Concealed Handgun Permit Holders of other States. S33/H131:

- Provides that a valid concealed handgun permit or license issued by another state is valid in North Carolina if that state grants the same right to residents of North Carolina who have a valid concealed handgun permit issued in their possession while carrying concealed weapons in that state.
- Attorney General's Office shall maintain a registry of states that meet the requirements on the North Carolina Criminal Information Network and make it available to law enforcement officers.
- Department of Justice shall make written inquiry of each state to determine this and shall attempt to secure from each state, permission for NC residents who hold a valid concealed permit to carry a concealed handgun in that state.
- This statute does not apply to off-duty law enforcement officers who derive their authority to carry concealed firearms from G.S. §14-269(b) (5) and departmental regulations.
- **Effective 8/14/03.**





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### 2. Handgun Permit Fee/Retired Law Officers. H1030:

- Replaces G.S. §14-415.19.
- Reduces the concealed handgun application and permit fee for retired sworn law enforcement officers to \$45.00 and the renewal fee to \$40.00.
- Retired officer must submit letter of retirement and documentation verifying that officer was not involuntarily terminated or under investigation within six months of retirement.
- **Effective 8/01/03.**



## IV. Juvenile Law

### 1. Amend Juvenile Law. H1037:

- Adds to G.S. §14-239 that juveniles committed to the Department of Juvenile Justice and Delinquency Prevention are considered “prisoners” for the crime of allowing prisoners to escape.
- Amends G.S. §7B-2102 to provide that a county juvenile detention facility shall photograph a juvenile who has been committed to the facility if the juvenile was at least 10 years old at the time the juvenile allegedly committed a nondivertible offense.
- Provides that photographs of a juvenile may be released to the public if the juvenile escapes from a youth development center or other juvenile facility or a holdover facility or escapes from the custody of juvenile personnel or a local law enforcement officer.
- **Section 1 effective 12/01/03, (Juveniles as prisoners if they escape.) Remainder effective 10/01/03. (Detention Center taking photos of juveniles and releasing photos if they escape.)**

### 2. Amber Alert. H478:

- Changes name of North Carolina Child Alert Notification System (NC CAN) to AMBER Alert to provide for a statewide system for the rapid dissemination of information regarding abducted children.
- Requires that law enforcement agencies notify the National Center for Missing and Exploited Children of missing children reports.
- Requires that the AMBER Alert System disseminate information on missing children 17 years of age or younger if the abduction is not suspected to be by the parent, unless the child’s life is suspected to be in danger or possible injury to the child, and the child is not a runaway or voluntarily missing, and the abduction has been reported to and investigated by a law enforcement agency.
- **Effective 6/12/03.**



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### 3. Evidence in Juvenile Hearings. H126:

- Amends G.S. §7B- 901 (abuse and neglect) and G.S. §7B-2501 (delinquency) to allow the court to consider hearsay evidence if it is relevant, reliable and necessary in a delinquency disposition hearing or in an abuse/neglect disposition or review hearing.
- **Enacted into law on 5/20/03. Effective Immediately.**

### 4. “Kaitlyn’s Law”/Administration of Medication. S226:

- Prohibits the administration of medication to a child in a licensed or unlicensed child care facility without proper authorization from the child’s parent or guardian.
- Applies to any employee, owner, volunteer or operator of a child care facility.
- Requires written authorization to include child’s name, date(s) for which authorization is applicable, dosage instructions, signature of parent or guardian.
- Certain exceptions in a medical emergency if the medication is administered by medical health care provider.
- Violation that results in serious injury to child is a Class F felony.
- Any violation where medication is administered is a Class A1 misdemeanor.
- **Effective 12/01/03.**

### 5. Safe Sleep Policy/Investigation of Reports of Child Abuse/Neglect. H152:

- Child Care facilities must develop safe sleep policies to reduce the risk of SIDS. Law enforcement and social services shall cooperate with the medical community to ensure that reports of child abuse or neglect in child care facilities are properly investigated.
- **Effective 12/01/03.**

### 6. Corrections to Child Welfare Laws. S421:

- Amends the school attendance requirements.
- Provides that after principal reviews 10 unexcused absences, and decides the parent has not made a good faith effort to comply with the compulsory attendance law, the principal must notify the Director of Social Services.
- The Director of Social Services must then determine whether to undertake an investigation under G.S. §7B-302. (Abuse, neglect, dependency.)
- **Effective 7/04/03.**

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## V. Controlled Substance Violations

### 1. Analogues/Schedule 1 Controlled Substance. S694/H889:

- Amends G.S. §90-89.1.
- Conforms state law to federal law.
- Provides that a controlled substance analogue, to the extent intended for human consumption, will be treated as a Schedule 1 controlled substance.
- **Effective 12/0/03**

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### VI. Domestic Violence

#### 1. Clarify Definition of Protective Order. S630:

- Provides that a court may renew a protective order for good cause, including an order that previously has been renewed, upon a motion by the aggrieved party filed before the expiration of the current order.
- States that no new act of domestic violence need be committed by the defendant after entry of the current order to have the order renewed.
- Court may renew a protective order for a fixed period not to exceed one year.
- **Enacted on 5/31/03. Effective Immediately.**

#### 2. Act to Enhance the Safety of Victims in Serious Domestic Violence Cases. S919:

- Expands G.S. §14-269.8 regarding firearms and makes it unlawful for any person to own, possess, purchase, or receive or attempt to own, possess, purchase or receive a firearm, machine gun, ammunition, or permits to purchase or carry concealed firearms if ordered by the court, for so long as that protective order or any successive protective order entered against that person is in effect.
- Violation is a Class H felony.
- Adds a new section, §50B-3.1 "Surrender and Disposal of Firearms".
- Requires that upon issuance of an emergency/ex parte order, the court shall order the defendant to surrender to the sheriff all firearms, machine guns, ammunition, permits to purchase or carry concealed firearms, that are in the care, custody, possession, ownership, or control of the defendant if the court finds any of the following factors:
  - a. Use or threatened use of deadly weapon or pattern of prior conduct involving use or threatened use of violence with a firearm against persons.
  - b. Threats to seriously injure or kill the aggrieved party or minor child by the defendant.
  - c. Threats to commit suicide by the defendant.
  - d. Serious injuries inflicted upon the aggrieved party or minor child by the defendant.
- The court shall inquire of the plaintiff at the *ex parte* hearing about the presence or access by the defendant to firearms, ammunition, permits to carry firearms, etc. and provide any identifying information regarding those items in the order.
- The court shall inquire of the defendant at the 10-day hearing about the presence or access by the defendant to firearms, ammunition, permits to carry firearms, etc.
- Upon service of the order, the defendant shall immediately surrender to the sheriff, possession of all firearms, machine guns, ammunition, and permits to purchase or carry that are in the care, custody, possession, ownership or control of the defendant. (If not immediately then 24 hours after service of order.)
- The sheriff shall store the firearms and may charge the defendant a reasonable fee for storage.
- Terms of the order shall include instruction as to how the defendant may request retrieval of any firearms, etc. surrendered to the sheriff when the protective order is no longer in effect.



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- The sheriff shall not release firearms, ammunition, or permits, etc. without a court order granting the release.
- Makes it unlawful for any person, subject to a protective order prohibiting possession or purchase of firearms, to fail to surrender or disclose all information concerning firearms and permits as requested by the court.
- Official use exemption—Section *does not prohibit* law enforcement officers and members of the armed forces, not otherwise prohibited by federal law, from possessing or using firearms for *official use* only.
- **Effective 12/01/03.**

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### VII. Miscellaneous

#### 1. Nurse Testimonial Privilege. H743:

- Establishes a nurse testimonial privilege.
- Does not require a nurse to disclose information acquired while rendering nursing services if information was necessary to render medical services.
- Court may order disclosure for proper administration of justice.
- **Effective 10/01/03.**

#### 2. Detector Dog Trainers. H860:

- Licensing for drug detector dogs to take place through Department of Health and Human Services and would include a criminal background check from DOJ.
- Applicant would be required to report all dog alerts or finds of any controlled substance to a law enforcement agency.
- Exemption from licensing provided to law enforcement agencies, dog handlers and drug detection dogs employed or under the control of law enforcement agencies.
- Drug dog handlers must provide conspicuous written notice to clients at dog handler's place of business and in the contract for services that the dog handler is required to notify law enforcement of any dog alert or finding of a controlled substance.
- **Effective 8/07/03.**

#### 3. Amend Enhanced Sentence Laws. S693:

- Amends G.S. §15A-1340.16A regarding enhanced sentences as recommended by the sentencing commission.
- If a person is convicted of a Class A, B1, B2, C, D, or E felony and used, displayed or threatened the use or display of a firearm and the person actually possessed the firearm, then the minimum imprisonment term is increased by 60 months.
- The indictment must allege that the felony was committed by use of a firearm.



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- Amends §15A-1340.16C, enhanced sentence if defendant committed a felony while wearing a bulletproof vest or in his immediate possession, and adds a provision making the section inapplicable to law enforcement officers unless the state proves beyond a reasonable doubt that the officer was not performing or attempting to perform, a law enforcement function and that the officer knowingly wore or had in his or her possession a bullet proof vest at the time of the commission of the felony for the purpose of aiding the officer in the commission of the felony.
  - **Effective 8/0/03.**
4. **Criminal History Record Checks. H1024:**
- Adopts the National Crime Prevention and Privacy Compact for North Carolina.
  - Provides for interstate and federal-state exchange of criminal history records for noncriminal justice uses.
  - **6/19/03 Effective 6/19/03.**
5. **Amend Mecklenburg Law Enforcement Pension Fund. H474/S411:**
- Amends the emergency pension fund for law enforcement officers in Mecklenburg County.
  - Provides the fund shall make a payment of \$10,000 as a death benefit for a surviving spouse of an officer killed while in performance of his/her duties.
  - Provides for \$500 per month, not to exceed a \$10,000 maximum, to an officer during the time he or she is temporarily and totally disabled due to a physical injury received in the performance of duties.
  - Provides for \$10,000 to an officer's children for college scholarships if an officer is killed or permanently and totally disabled while in the performance of his or her duties.
  - **Effective 7/1/03. (Local bill so Governor not required to sign.)**
6. **Act to Prevent the Negative Secondary Effects Caused by Sexually Explicit Conduct on Premises Licensed by the Alcoholic Beverage Control Commission. S996:**
- Adds new section to G.S. §18B-1005.1.
  - Makes it unlawful for a permittee or his agent to knowingly allow or engage in certain kinds of conduct on licensed premises or fail to superintend in person or through a manager.
  - Conduct includes entertainment where private parts are exposed, or other lewd or obscene entertainment or conduct, including simulation or fondling.
  - Adds to new G.S. §18B-1005.1(a) (2) as an offense "any act that includes or simulates the penetration, however slight, by an object into the genital or anal opening of a person's body."
  - Creates an exception for theaters, concern halls, art centers, museums, or similar establishments when the performances are expressing matters of serious literary, artistic, scientific or political value.
  - **Effective 8/01/03.**



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### 7. **Terror Response Plans. S692:**

- Exempts from public records law, plans to prevent or respond to terrorist activity if the disclosure would jeopardize the safety of governmental personnel or the general public or the security of any governmental facility, building, structure or information storage system.
- Provides that a discussion of plans to protect public safety with regard to terrorist activity may be held in a closed session by a public body.
- **Effective 6/12/03.**

### 8. **Adverse Reactions to Smallpox Vaccination. H273:**

- Provides coverage for state employees who volunteer for vaccination against smallpox pursuant to the Federal Homeland Security Act.
- Provides that family members living in the homes of vaccinated employees will be able to recover for any adverse medical reactions due to the vaccination.
- Absences from work due to vaccination do not count against sick leave and salary continues.
- Requires municipalities that employ firefighters or police to enact a policy so that sick leave and salary continue for absences from work due to adverse reaction from smallpox vaccinations received in employment pursuant to the Homeland Security Act.
- Policies must be adopted by 9/10/03.
- **6/12/03 Signed by Governor and effective immediately.**

### 9. **Vaccination Program. H916:**

- Establishes a vaccination program for first responders to terrorist incidents, catastrophic or natural disaster or emergencies
- Participation is voluntary.
- First responders include state and local law enforcement, fire department, emergency medical personnel.
- **Effective 6/19/03**

### 10. **Rewrite Rule 45 of the NC Rules of Civil Procedure (Subpoena). H785:**

- Provides for protection of persons subject to a subpoena.
- Provides grounds for objecting to the subpoena including the failure to allow a reasonable time for compliance, the subpoena subjects the person to an undue burden, or the subpoena is unreasonable or oppressive or procedurally defective.
- The court may impose sanctions that include compensating the person unduly burdened for lost earnings and for reasonable attorney's fees.
- When the court enters an order quashing or modifying a subpoena, the court may order the party to pay all or part of the person's reasonable expenses including attorney's fees.
- Includes "custodian of public records" who may tender to the court certified copies of records by way of an affidavit rather than personally appearing.
- Authorizes reasonable production costs and allows attorney's fees to the party issuing the subpoena if there is an unreasonable motion to quash.



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- Rule 45 applies in criminal matters and civil matters.
- **Effective 10/01/03.**

### 11. **An Act to Prohibit Sellers From Charging Excessive Prices On Their Merchandise and Services During Declared States of Disaster. S963:**

- It is a violation of G.S. §75-1.1 to sell or rent or offer to sell or rent, in a declared disaster area, any merchandise or services which are consumed or used as a direct result of an emergency or which are consumed or used to preserve, protect, or sustain life, health, safety, or comfort of persons or property, with the knowledge and intent to charge a price that is unreasonable and excessive under the circumstances.
- The end of a state of disaster is the earlier of 45 days or termination of a natural or man-made disaster or emergency as declared in accordance with G.S. §166A-6 or G.S. §166A-8.
- **Effective 8/14/03.**

### 12. **Taxi Cab Driver/Drug Test. S557:**

- Provides that as a condition of licensure, a taxicab driver may be requested to pass a controlled substance examination.
- **Effective 5/20/03**

### 13. **No Credit Card Number on Receipts. H357:**

- Prohibits businesses from printing more than five digits of a credit, charge or debit card account number or expiration date on a sales receipt.
- Prohibits persons from selling cash register or other machine/device that electronically prints receipts of credit, charge or debit card transactions that cannot be programmed or operated to produce a receipt with five or fewer digits of a card.
- **Section 2 effective July 1, 2005. Remainder effective 3/01/04.**

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