

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 769

Short Title: Dropout Prevention/Drivers License.

(Public)

Sponsors: Representatives Sherrill; Aldridge, Allred, Arnold, Baker, Barbee, Beall, Berry, Bonner, Bowie, Boyd-McIntyre, Brawley, Brown, Cansler, Clary, Cole, Davis, Dedmon, Dickson, Dockham, Eddins, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hardy, Hiatt, Hightower, Holmes, Ives, Justus, McAllister, McComas, McCombs, McMahan, Miner, Moore, Morris, Mosley, Neely, Nichols, Oldham, Owens, Preston, Rayfield, Rogers, Russell, Saunders, Shubert, Tallent, Thompson, Tolson, Warwick, Watson, C. Wilson, G. Wilson, and Yongue.

Referred to: Education, if favorable, Finance.

April 3, 1997

A BILL TO BE ENTITLED

1 AN ACT TO PROVIDE THAT CERTAIN STUDENTS WHO DROP OUT OF
2 SCHOOL OR DO NOT MAKE PROGRESS TOWARD GRADUATION SHALL
3 NOT BE ELIGIBLE FOR DRIVERS PERMITS OR LICENSES.

4 The General Assembly of North Carolina enacts:

5 Section 1. G.S. 20-9 is amended by adding a new subsection to read:

6 "(i) The Division shall not issue any permit or license to an applicant under the age
7 of 18 years of age unless the applicant presents, at the time of application, a driving
8 eligibility certificate proving that he or she is currently enrolled in school and is making
9 progress toward graduation or has received a high school diploma or its equivalent. The
10 driving eligibility certificate shall be on a form approved by the Division and the State
11 Board of Education and shall be signed by one of the following persons:

12 (1) The superintendent, or a designee, of the applicable local school
13 administrative unit, for a student enrolled in a public school.
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- 1 (2) The administrator of the student's school, for a student enrolled in a
2 private school.
- 3 (3) A representative of the Office of the Governor, for a student registered
4 with that office for home schooling.
- 5 (4) A member of the board of directors, for a student enrolled in a charter
6 school."

7 Section 2. G.S. 115C-12 is amended by adding a new subdivision to read:

8 "(25) Duty to Develop Rules for Issuance of Driving Eligibility Certificates. –
9 The State Board of Education shall issue rules for the qualifications
10 necessary for an applicant for a drivers permit or license to receive a
11 driving eligibility certificate, required by G.S. 20-9(i), indicating that
12 the applicant is making progress toward graduation or has received a
13 high school diploma or its equivalent.

14 The rules shall provide standards for issuance of the driving
15 eligibility certificate when either:

- 16 a. Although the applicant is not making progress toward graduation,
17 a hardship would be placed on the applicant or the applicant's
18 family if the applicant did not receive the certificate; or
- 19 b. It is determined that the student cannot make progress toward
20 obtaining a high school diploma.

21 The rules shall further provide for an appeal to an appropriate
22 education authority by an applicant who is denied a driving eligibility
23 certificate."

24 Section 3. G.S. 20-13.2 is amended by adding a new subsection to read:

25 "(c1) The Division shall revoke the permit or license of a driver under the age of 18
26 if the driver fails to meet the applicable attendance requirements of Article 26 of Chapter
27 115C of the General Statutes and the Division is notified by the proper school authority.
28 If a driver's permit or license is revoked pursuant to this subsection, the length of
29 revocation shall be at least 90 days and the license or permit shall only be restored upon
30 proof of:

- 31 (1) Reenrollment in school or enrollment in an adult education program in a
32 community college;
- 33 (2) Proof that the student has already satisfactorily met the requirements for
34 graduation; and
- 35 (3) Payment of a fifty dollar (\$50.00) restoration fee."

36 Section 4. The State Board of Education shall study the effectiveness of this
37 act on the dropout rates and progress toward graduation of students under the age of 18
38 and shall report the results of the study to the 2000 Session of the General Assembly by
39 filing a copy of a report with the Speaker of the House of Representatives, with the
40 President Pro Tempore of the Senate, and with the Fiscal Research Division prior to the
41 first day of that legislative session.

1 Section 5. This act is effective when it becomes law. Sections 1 and 3 of this
2 act become effective August 1, 1998. The rules required by Section 2 of this act shall be
3 issued by the State Board of Education no later than March 1, 1998.