

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 2001**

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**SENATE BILL 1245**

Short Title: GDL - Level 2 Restriction. (Public)

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Sponsors: Senators Allran; Ballantine, Carpenter, Dalton, Dannelly, Forrester, Foxx, Garwood, Hartsell, Kinnaird, Lucas, Martin of Guilford, Purcell, Rand, Reeves, and Rucho.

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Referred to: Judiciary I.

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June 6, 2002

A BILL TO BE ENTITLED

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2 AN ACT TO PROVIDE CERTAIN OCCUPANCY LIMITATIONS FOR VEHICLES  
3 DRIVEN BY LEVEL 2 DRIVERS WITH LIMITED PROVISIONAL LICENSES.

4 Whereas, studies have shown that the system of Graduated Drivers Licenses  
5 instituted in North Carolina on December 1, 1997, has reduced the number of accidents  
6 involving young drivers; and

7 Whereas, statistics also indicate that when the supervising driver is not  
8 present the risk of accident increases with the presence of passengers who may distract  
9 the license holder; and

10 Whereas, the studies show that the risk of accident increases with the number  
11 of passengers in the vehicle driven by the young graduated license holder; and

12 Whereas, the General Assembly finds that limiting the number of passengers  
13 to reduce the likelihood of a young driver having an accident is in the public interest;

14 Now, therefore,

15 The General Assembly of North Carolina enacts:

16 **SECTION 1.** G.S. 20-11(e) reads as rewritten:

17 "(e) Level 2 Restrictions. – A limited provisional license authorizes the license  
18 holder to drive a specified type or class of motor vehicle only under the following  
19 conditions:

20 (1) The license holder ~~must~~shall be in possession of the license.

21 (2) The license holder may drive without supervision in any of the  
22 following circumstances:

23 a. From 5:00 a.m. to 9:00 p.m.

24 b. When driving to or from work.

1 c. When driving to or from an activity of a volunteer fire  
2 department, volunteer rescue squad, or volunteer emergency  
3 medical service, if the driver is a member of the organization.

4 (3) The license holder may drive with supervision at any time. When the  
5 license holder is driving with supervision, the supervising driver ~~must~~  
6 shall be seated beside the license holder in the front seat of the vehicle  
7 when it is in motion. The supervising driver need not be the only other  
8 occupant of the front seat, but ~~must~~-shall be the person seated next to  
9 the license holder.

10 (4) The following vehicle occupancy restrictions apply:

11 a. When the license holder is driving the vehicle and is not  
12 accompanied by the supervising driver, there may be only one  
13 other nonfamily member occupant in the vehicle along with the  
14 license holder.

15 b. When the license holder is driving the vehicle and is not  
16 accompanied by the supervising driver, there may be up to three  
17 other family member occupants in the vehicle along with the  
18 license holder.

19 c. When the license holder is driving the vehicle and is  
20 accompanied by the supervising driver, then the only other  
21 occupants of the vehicle may be family members.

22 (4)(5) Every person occupying the vehicle being driven by the license holder  
23 must have a safety belt properly fastened about his or her body, or be  
24 restrained by a child passenger restraint system as provided in G.S.  
25 20-137.1(a), when the vehicle is in motion."

26 **SECTION 2.** This act is effective when it becomes law.