

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 417
Committee Substitute Favorable 3/12/09

Short Title: Drivers License Changes/Young Drivers.

(Public)

Sponsors:

Referred to:

March 5, 2009

A BILL TO BE ENTITLED

AN ACT TO MAKE CHANGES TO GRADUATED DRIVERS LICENSE PROVISIONS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-11(f) reads as rewritten:

"(f) Level 3. – A person who is at least 16 years old but less than 18 years old may obtain a full provisional license if the person meets all of the following requirements:

- (1) Has held a limited provisional license issued by the Division for at least ~~six~~ 12 months.
- (2) Has not been convicted of a motor vehicle moving violation or seat belt infraction or a violation of G.S. 20-137.3 during the preceding ~~six~~ 12 months.
- (3) Has a driving eligibility certificate or a high school diploma or its equivalent.

A person who meets these requirements may obtain a full provisional license by mail."

SECTION 2. G.S. 20-11(h) reads as rewritten:

"(h) Exception for Persons 16 to 18 Who Have an Unrestricted Out-of-State License. – A person who is at least 16 years old but less than 18 years old, who was a resident of another state and has an unrestricted drivers license issued by that state, and who becomes a resident of this State may obtain one of the following upon the submission of a driving eligibility certificate or a high school diploma or its equivalent:

- (1) A temporary permit, if the person has not completed a drivers education program that meets the requirements of the Superintendent of Public Instruction but is currently enrolled in a drivers education program that meets these requirements. A temporary permit is valid for the period specified in the permit and authorizes the holder of the permit to drive a specified type or class of motor vehicle when in possession of the permit, subject to any restrictions imposed by the Division concerning time of driving, supervision, and passenger limitations. The period must end within 10 days after the expected completion date of the drivers education program in which the applicant is enrolled.
- (2) A full provisional license, if the person has completed a drivers education program that meets the requirements of the Superintendent of Public Instruction, has held the license issued by the other state for at least 12 months, and has not been convicted during the preceding ~~six~~ 12 months of a motor vehicle moving violation, a seat belt infraction, or an offense committed in another jurisdiction that would be a motor vehicle moving violation or seat belt infraction if committed in this State.



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1 (2a) A full provisional license, if the person has completed a drivers education
2 program that meets the requirements of the Superintendent of Public
3 Instruction, has held both a learner's permit and a restricted license from
4 another state for at least ~~six~~12 months each, the Commissioner finds that the
5 requirements for the learner's permit and restricted license are comparable to
6 the requirements for a learner's permit and restricted license in this State, and
7 the person has not been convicted during the preceding ~~six~~12 months of a
8 motor vehicle moving violation, a seat belt infraction, or an offense
9 committed in another jurisdiction that would be a moving violation or a seat
10 belt infraction if committed in this State.

11 (3) A limited provisional license, if the person has completed a drivers
12 education program that meets the requirements of the Superintendent of
13 Public Instruction but either did not hold the license issued by the other state
14 for at least 12 months or was convicted during the preceding ~~six~~12 months
15 of a motor vehicle moving violation, a seat belt infraction, or an offense
16 committed in another jurisdiction that would be a motor vehicle moving
17 violation or seat belt infraction if committed in this State."

18 **SECTION 3.** G.S. 20-11(h1) reads as rewritten:

19 "(h1) Exception for Persons 16 to 18 Who Have an Out-of-State Restricted License. – A
20 person who is at least 16 years old but less than 18 years old, who was a resident of another
21 state and has a restricted drivers license issued by that state, and who becomes a resident of this
22 State may obtain one of the following:

23 (1) A limited provisional license, if the person has completed a drivers
24 education program that meets the requirements of the Superintendent of
25 Public Instruction, held the restricted license issued by the other state for at
26 least 12 months, and whose parent or guardian certifies that the person has
27 not been convicted during the preceding ~~six~~12 months of a motor vehicle
28 moving violation, a seat belt infraction, or an offense committed in another
29 jurisdiction that would be a motor vehicle moving violation or seat belt
30 infraction if committed in this State.

31 (2) A limited learners permit, if the person has completed a drivers education
32 program that meets the requirements of the Superintendent of Public
33 Instruction but either did not hold the restricted license issued by the other
34 state for at least 12 months or was convicted during the preceding ~~six~~12
35 months of a motor vehicle moving violation, a seat belt infraction, or an
36 offense committed in another jurisdiction that would be a motor vehicle
37 moving violation or seat belt infraction if committed in this State. A person
38 who qualifies for a limited learners permit under this subdivision and whose
39 parent or guardian certifies that the person has not been convicted of a
40 moving violation in the preceding ~~six~~12 months shall be deemed to have
41 held a limited learners permit in this State for each month the person held a
42 restricted license in another state."

43 **SECTION 4.** G.S. 20-11(h2) reads as rewritten:

44 "(h2) Exception for Persons Age 15 Who Have an Out-of-State Unrestricted or Restricted
45 License. – A person who is age 15, who was a resident of another state, has an unrestricted or
46 restricted drivers license issued by that state, and who becomes a resident of this State may
47 obtain a limited learners permit if the person has completed a drivers education program that
48 meets the requirements of the Superintendent of Public Instruction. A person who qualifies for
49 a limited learners permit under this subsection and whose parent or guardian certifies that the
50 person has not been convicted of a moving violation in the preceding ~~six~~12 months shall be

1 deemed to have held a limited learners permit in this State for each month the person held an
2 unrestricted or restricted license in another state."

3 **SECTION 5.** G.S. 20-11(h3) reads as rewritten:

4 "(h3) Exception for Persons Less Than Age 18 Who Have a Federally Issued Unrestricted
5 or Restricted License. – A person who is less than age 18, who has an unrestricted or restricted
6 drivers license issued by the federal government, and who becomes a resident of this State may
7 obtain a limited provisional license or a provisional license if the person has completed a
8 drivers education program substantially equivalent to the drivers education program that meets
9 the requirements of the Superintendent of Public Instruction. A person who qualifies for a
10 limited provisional license or a provisional license under this subsection and whose parent or
11 guardian certifies that the person has not been convicted of a moving violation in the preceding
12 ~~six~~12 months shall be deemed to have held a limited provisional license or a provisional
13 license in this State for each month the person held an unrestricted or restricted license issued
14 by the federal government."

15 **SECTION 6.** This act becomes effective April 1, 2010, and applies to licenses and
16 permits issued on or after that date.