

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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HOUSE BILL 1079*

Short Title: DOT Division of Motor Vehicles Leg. Requests.-AB (Public)

Sponsors: Representatives Frye and Mills (Primary Sponsors).
For a complete list of Sponsors, see Bill Information on the NCGA Web Site.

Referred to: Transportation.

May 24, 2012

A BILL TO BE ENTITLED

AN ACT TO AMEND STATUTES RELATED TO MOTORCYCLE LICENSES, TO ELIMINATE A REQUIREMENT TO LIST RACE ON DRIVERS LICENSES, AND TO DELAY THE IMPLEMENTATION OF TWO CHANGES TO DRIVERS LICENSES PENDING AN INFORMATION TECHNOLOGY SYSTEM UPGRADE, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-7(a1) and (a2) read as rewritten:

"(a1) Motorcycles and Mopeds. – To drive a motorcycle, a person shall have one of the following:

- (1) A full provisional license with a motorcycle learner's permit.
- (2) A regular drivers license with a motorcycle learner's permit.
- (3) A full provisional license with a motorcycle endorsement.
- (4) A regular drivers ~~license~~, license with a motorcycle endorsement.

Subsection (a2) of this section sets forth the requirements for a motorcycle learner's permit. To obtain a motorcycle endorsement, a person shall pay the fee set in subsection (i) of this section. In addition, to obtain an endorsement, a person ~~age 18 or older shall demonstrate competence to drive a motorcycle by passing a written or oral test concerning motorcycles and passing a road test, and a person less than 18 years of age shall demonstrate competence to drive a motorcycle by~~ (i) passing a written or oral knowledge test concerning motorcycles and (ii) passing a road test or providing proof of successful completion of one of the following:

- (1) ~~The Motorcycle Safety Foundation Basic Rider Course or Experienced Rider Course.~~
- (2) The North Carolina Motorcycle Safety Education Program Basic Rider Course or Experienced Rider Course.
- (3) Any course approved by the Commissioner consistent with the instruction provided through the Motorcycle Safety Instruction Program established under G.S. 115D-72.

A person less than 18 years of age with a motorcycle endorsement may not drive a motorcycle with a passenger.

Neither a drivers license nor a motorcycle endorsement is required to drive a moped.

(a2) Motorcycle Learner's Permit. – The following persons are eligible for a motorcycle learner's permit:



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- 1 (1) A person who is at least 16 years old but less than 18 years old and has a full
2 provisional license issued by the Division.
- 3 (2) A person who is at least 18 years old and has a license issued by the
4 Division.

5 To obtain a motorcycle learner's permit, an applicant shall pass a vision test, a road sign
6 test, and a ~~written knowledge~~ test specified by the Division. An applicant who is less than 18
7 years old shall successfully complete ~~the Motorcycle Safety Foundation Basic Rider Course or~~
8 the North Carolina Motorcycle Safety Education Program Basic Rider Course. A motorcycle
9 learner's permit expires twelve months after it is issued and may be renewed for one additional
10 six-month period. The holder of a motorcycle learner's permit may not drive a motorcycle with
11 a passenger. The fee for a motorcycle learner's permit is the amount set in G.S. 20-7(l) for a
12 learner's permit."

13 **SECTION 2.** G.S. 20-7(n) reads as rewritten:

14 "(n) Format. – A drivers license issued by the Division must be tamperproof and must
15 contain all of the following information:

- 16 (1) An identification of this State as the issuer of the license.
- 17 (2) The license holder's full name.
- 18 (3) The license holder's residence address.
- 19 (4) A color photograph, or a properly applied laser engraved picture on
20 polycarbonate material, of the license holder, taken by the Division.
- 21 (5) A physical description of the license holder, including sex, height, eye color,
22 and hair color.
- 23 (6) The license holder's date of birth.
- 24 (7) An identifying number for the license holder assigned by the Division. The
25 identifying number may not be the license holder's social security number.
- 26 (8) Each class of motor vehicle the license holder is authorized to drive and any
27 endorsements or restrictions that apply.
- 28 (9) The license holder's signature.
- 29 (10) The date the license was issued and the date the license expires.

30 The Commissioner shall ensure that applicants 21 years old or older are issued drivers
31 licenses and special identification cards that are printed in a horizontal format. The
32 Commissioner shall ensure that applicants under the age of 21 are issued drivers licenses and
33 special identification cards that are printed in a vertical format, that distinguishes them from the
34 horizontal format, for ease of identification of individuals under age 21 by members of
35 industries that regulate controlled products that are sale restricted by age and law enforcement
36 officers enforcing these laws.

37 ~~At the request of an applicant for a drivers license, a license issued to the applicant must
38 contain the applicant's race."~~

39 **SECTION 3.** Section 3 of S.L. 2011-35 reads as rewritten:

40 "**SECTION 3.** This act becomes effective ~~when the Division of Motor Vehicles has
41 completed the implementation of the Division's Next Generation Secure Driver License System
42 or July 1, 2012, whichever occurs first, and applies to drivers licenses issued on or after that
43 date.~~ on the later of the following dates and applies to drivers licenses issued on or after that
44 date:

- 45 (1) January 1, 2013.
- 46 (2) The first day of a month that is 30 days after the Commissioner of Motor
47 Vehicles certifies to the Revisor of Statutes that the Division of Motor
48 Vehicles has completed the implementation of the Division's Next
49 Generation Secure Driver License System."

50 **SECTION 4.** Section 2 of S.L. 2011-228 reads as rewritten:

1 "SECTION 2. This act becomes effective July 1, 2012, and applies to endorsements issued
2 for commercial drivers licenses on or after that date. on the later of the following dates and
3 applies to endorsements issued for commercial drivers licenses issued on or after that date:

4 (1) January 1, 2013.

5 (2) The first day of a month that is 30 days after the Commissioner of Motor
6 Vehicles certifies to the Revisor of Statutes that the Division of Motor
7 Vehicles has completed the implementation of the Division's Next
8 Generation Secure Driver License System."

9 SECTION 5. When the Division of Motor Vehicles has completed the
10 implementation of the Division's Next Generation Secure Driver License System, the
11 Commissioner of Motor Vehicles shall certify to the Revisor of Statutes that the Division of
12 Motor Vehicles has completed the implementation. When making the certification, the
13 Commissioner of Motor Vehicles shall reference S.L. 2011-35, S.L. 2011-228, and the Session
14 Law number of this act.

15 SECTION 6. Sections 1 and 2 of this act become effective July 1, 2012. The
16 remainder of this act is effective when it becomes law.