

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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HOUSE BILL 1546

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

Sponsors: Representatives Clary; Bowie, Brubaker, Cox, M. Crawford, Earle, Easterling, Harrington, Hunter, Insko, Johnson, Luebke, Preston, Shubert, and Weiss.

Referred to: Judiciary I.

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

- 1 (3) The license holder may drive with supervision at any time. When the
2 license holder is driving with supervision, the supervising driver ~~must~~
3 shall be seated beside the license holder in the front seat of the vehicle
4 when it is in motion. The supervising driver need not be the only other
5 occupant of the front seat, but ~~must~~shall be the person seated next to
6 the license holder.
- 7 (4) When the license holder is driving the vehicle and is not accompanied
8 by the supervising driver, there may be no more than one passenger
9 under 21 years of age in the vehicle. This limit does not apply to
10 passengers who are members of the license holder's immediate family
11 and whose primary residence is the same household as the license
12 holder. However, if a family member of the license holder who is
13 younger than 21 years of age is a passenger in the vehicle, no
14 passengers who are not members of the license holder's immediate
15 family may be in the vehicle.
- 16 (4)(5) Every person occupying the vehicle being driven by the license holder
17 must have a safety belt properly fastened about his or her body, or be
18 restrained by a child passenger restraint system as provided in G.S.
19 20-137.1(a), when the vehicle is in motion."

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