

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

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HOUSE DRH10546-SA-10 (11/04)

Short Title: Drivers License Changes/Young Drivers.

(Public)

Sponsors: Representative Killian.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO MAKE CHANGES TO LIMITED PROVISIONAL LICENSES.

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



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1 motor vehicle moving violation, a seat belt infraction, or an offense
2 committed in another jurisdiction that would be a motor vehicle moving
3 violation or seat belt infraction if committed in this State.

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

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

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

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

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

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

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

47 "(h2) Exception for Persons Age 15 Who Have an Out-of-State Unrestricted or Restricted
48 License. – A person who is age 15, who was a resident of another state, has an unrestricted or
49 restricted drivers license issued by that state, and who becomes a resident of this State may
50 obtain a limited learners permit if the person has completed a drivers education program that
51 meets the requirements of the Superintendent of Public Instruction. A person who qualifies for

1 a limited learners permit under this subsection and whose parent or guardian certifies that the
2 person has not been convicted of a moving violation in the preceding ~~six~~12 months shall be
3 deemed to have held a limited learners permit in this State for each month the person held an
4 unrestricted or restricted license in another state."

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

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

17 **SECTION 6.** This act becomes effective October 1, 2009, and applies to limited
18 provisional licenses issued on or after that date.