

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 417

Short Title: Drivers License Changes/Young Drivers. (Public)

Sponsors: Representatives Killian, Daughtry, Cole, Sutton (Primary Sponsors); Cleveland, Coates, Dockham, Dollar, Harrell, Hilton, Hughes, Hurley, McGee, Rapp, Steen, Whilden, and Wilkins.

Referred to: Judiciary III, if favorable, Transportation.

March 5, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO MAKE CHANGES TO LIMITED PROVISIONAL LICENSES.

3 The General Assembly of North Carolina enacts:

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

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

- 7 (1) Has held a limited provisional license issued by the Division for at least ~~six~~
8 12 months.
9 (2) Has not been convicted of a motor vehicle moving violation or seat belt
10 infraction or a violation of G.S. 20-137.3 during the preceding ~~six~~12
11 months.
12 (3) Has a driving eligibility certificate or a high school diploma or its
13 equivalent.

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

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

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

- 21 (1) A temporary permit, if the person has not completed a drivers education
22 program that meets the requirements of the Superintendent of Public
23 Instruction but is currently enrolled in a drivers education program that
24 meets these requirements. A temporary permit is valid for the period
25 specified in the permit and authorizes the holder of the permit to drive a
26 specified type or class of motor vehicle when in possession of the permit,
27 subject to any restrictions imposed by the Division concerning time of
28 driving, supervision, and passenger limitations. The period must end within
29 10 days after the expected completion date of the drivers education program
30 in which the applicant is enrolled.
31 (2) A full provisional license, if the person has completed a drivers education
32 program that meets the requirements of the Superintendent of Public
33 Instruction, has held the license issued by the other state for at least 12
34 months, and has not been convicted during the preceding ~~six~~12 months of a
35 motor vehicle moving violation, a seat belt infraction, or an offense



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

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

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

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

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

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

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

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

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

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