

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

**SESSION LAW 2009-492
SENATE BILL 64**

AN ACT TO SHORTEN THE DURATION AND AMEND THE REQUIREMENTS FOR A MOTORCYCLE LEARNER'S PERMIT, AND CLARIFY THE REQUIREMENTS FOR OBTAINING A MOTORCYCLE ENDORSEMENT.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-7(a1) reads as rewritten:

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

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

- (1) ~~Passing a road test;~~
- (2) ~~Passing a written or oral test concerning motorcycles; and~~
- (3) ~~Paying the fee for a motorcycle endorsement.~~

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 passing a written or oral test concerning motorcycles and 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."

SECTION 2. G.S. 20-7(a2) reads as rewritten:

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

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



- (2) A person who is at least 18 years old and has a license issued by the Division.

To obtain a motorcycle learner's permit, an applicant shall pass a vision test, a road sign test, and a written test specified by the Division. An applicant who is less than 18 years old shall successfully complete the Motorcycle Safety Foundation Basic Rider Course or the North Carolina Motorcycle Safety Education Program Basic Rider Course. A motorcycle learner's permit expires ~~18 months~~ twelve months after it is ~~issued~~ issued and may be renewed for one additional six-month period. The holder of a motorcycle learner's permit may not drive a motorcycle with a passenger. The fee for a motorcycle learner's permit is the amount set in G.S. 20-7(1) for a learner's permit."

SECTION 3. The Commissioner of Motor Vehicles shall determine the availability of spaces for students in the Motorcycle Safety Foundation courses, the North Carolina Motorcycle Safety Education Program courses, and any other motorcycle education courses the Commissioner has approved in the State, in order to determine if there is adequate space in the available courses to meet the expected demand, and if the projected average wait time for an applicant to obtain a space in a course required by this act will exceed four weeks. The Commissioner shall report the results of the study to the Joint Legislative Commission on Governmental Operations on or before March 1, 2010.

SECTION 4. The University of North Carolina Highway Safety Research Center shall study whether individuals 18 to 21 years of age should be required to successfully complete a motorcycle safety course prior to being issued a motorcycle learner's permit or motorcycle endorsement. The Committee shall report the results of the study to the Joint Legislative Transportation Oversight Committee on or before March 1, 2010.

SECTION 5. Sections 1 and 2 of this act become effective January 1, 2011. The remainder of this act is effective when it becomes law. The requirement for completing a riding course specified in this act does not apply to a motorcycle learner's permit issued prior to the effective date of this act, or to the renewal of any motorcycle endorsement first issued prior to the effective date of this act. A motorcycle learner's permit issued prior to the effective date of this act expires on the date indicated on the permit and may be renewed for one additional six-month period.

In the General Assembly read three times and ratified this the 5th day of August, 2009.

s/ Walter H. Dalton
President of the Senate

s/ Joe Hackney
Speaker of the House of Representatives

s/ Beverly E. Perdue
Governor

Approved 3:01 p.m. this 26th day of August, 2009