

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007

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HOUSE BILL 234

Short Title: Adjust Ages for Provisional Licenses. (Public)

Sponsors: Representatives Daughtry; Gulley and Neumann.

Referred to: Judiciary III, if favorable, Transportation.

February 19, 2007

A BILL TO BE ENTITLED

AN ACT TO ADJUST THE AGE REQUIREMENTS FOR THE ISSUANCE OF LIMITED LEARNER'S PERMITS AND PROVISIONAL LICENSES BY THE DIVISION OF MOTOR VEHICLES.

The General Assembly of North Carolina enacts:

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

"§ 20-11. Issuance of limited learner's permit and provisional drivers license to person who is less than 18 years old.

...

(b) Level 1. – A person who is at least ~~15~~15½ years old but less than 18 years old may obtain a limited learner's permit if the person meets all of the following requirements:

- (1) Passes a course of driver education prescribed in G.S. 20-88.1 or a course of driver instruction at a licensed commercial driver training school.
- (2) Passes a written test administered by the Division.
- (3) Has a driving eligibility certificate or a high school diploma or its equivalent.

..."

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

"...

(d) Level 2. – A person who is at least ~~16~~16½ years old but less than 18 years old may obtain a limited provisional license if the person meets all of the following requirements:

- (1) Has held a limited learner's permit issued by the Division for at least 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 months.

- (3) Passes a road test administered by the Division.
- (4) Has a driving eligibility certificate or a high school diploma or its equivalent.

" ...

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

" ...

(f) Level 3. – A person who is at least ~~16~~16½ 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 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 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 4.** G.S. 20-11(h) reads as rewritten:

" ...

(h) Exception for Persons ~~16~~16½ to 18 Who Have an Unrestricted Out-of-State License. – A person who is at least ~~16~~16½ 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:

" ..."

**SECTION 5.** G.S. 20-11(h1) reads as rewritten:

" ...

(h1) Exception for Persons ~~16~~16½ to 18 Who Have an Out-of-State Restricted License. – A person who is at least ~~16~~16½ years old but less than 18 years old, who was a resident of another state and has a restricted drivers license issued by that state, and who becomes a resident of this State may obtain one of the following:

" ..."

**SECTION 6.** G.S. 20-11(h2) reads as rewritten:

" ...

(h2) Exception for Persons Age ~~15~~15½ Who Have an Out-of-State Unrestricted or Restricted License. – A person who is age ~~15~~15½, who was a resident of another state, has an unrestricted or restricted drivers license issued by that state, and who becomes a resident of this State may obtain a limited learners permit if the person has completed a drivers education program that meets the requirements of the Superintendent of Public Instruction. A person who qualifies for a limited learners permit under this subsection and whose parent or guardian certifies that the person has not been convicted of a moving violation in the preceding six months shall be deemed to have held a limited

1 learners permit in this State for each month the person held an unrestricted or restricted  
2 license in another state.

3 ..."

4 **SECTION 7.** G.S. 20-11(n1)(3) reads as rewritten:

5 "...

6 (3) A student who is subject to this subsection is eligible for a certificate  
7 when the school administrator determines that the student has  
8 exhausted all administrative appeals connected to the disciplinary  
9 action and that one of the following conditions is met:

10 a. The enumerated student conduct occurred before the student  
11 reached the age of ~~15~~15½, and the student is now at least ~~16~~  
12 16½ years old.

13 b. The enumerated student conduct occurred after the student  
14 reached the age of ~~15~~15½, and it is at least one year after the  
15 date the student exhausted all administrative appeals connected  
16 to the disciplinary action.

17 c. The student needs the certificate in order to drive to and from  
18 school, a drug or alcohol treatment counseling program, as  
19 appropriate, or a mental health treatment program, and no other  
20 transportation is available.

21 ..."

22 **SECTION 8.** This act becomes effective October 1, 2007.