

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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SENATE BILL 327

Short Title: Drivers With Disabilities and Law Enforcement. (Public)

Sponsors: Senators Tillman (Primary Sponsor); Bryant, Robinson, and Waddell.

Referred to: Rules and Operations of the Senate

March 22, 2017

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR A VOLUNTARY DESIGNATION ON DRIVERS LICENSES AND REGISTRATION PLATES FOR NORTH CAROLINA RESIDENTS WITH A MENTAL ILLNESS, DEVELOPMENTAL DISABILITY, OR CO-OCCURRING MENTAL ILLNESS AND DEVELOPMENTAL DISABILITY AND TO REQUIRE TRAINING FOR LAW ENFORCEMENT OFFICERS ON HOW TO INTERACT WITH A PERSON THE OFFICER KNOWS OR REASONABLY SHOULD KNOW HAS A MENTAL ILLNESS, DEVELOPMENTAL DISABILITY, OR CO-OCCURRING MENTAL ILLNESS AND DEVELOPMENTAL DISABILITY.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-7 is amended by adding a new subsection to read:

"(q2) Mental Illness and Developmental Disability Designation. – The Division shall develop, in consultation with the Department of Public Safety and the State Highway Patrol, an electronic designation in the Division of Motor Vehicles database for drivers that may, upon request, be granted to North Carolina residents with a mental illness, developmental disability, or co-occurring mental illness and developmental disability. An applicant requesting an electronic designation under this subsection shall come to the Division of Motor Vehicles for registration. There shall be a standard transaction fee set by the Division for this service. For purposes of this subsection, the terms "mental illness" and "developmental disability" have the same meanings as in G.S. 122C-3. Nothing in this subsection shall be construed as authorizing the issuance of a drivers license to a person ineligible under G.S. 20-9."

SECTION 2. G.S. 20-63 reads as rewritten:

"§ 20-63. Registration plates furnished by Division; requirements; replacement of regular plates with First in Flight plates or First in Freedom plates; surrender and reissuance; displaying; preservation and cleaning; alteration or concealment of numbers; commission contracts for issuance.

...

(b1) The following special registration plates do not have to be a "First in Flight" plate or "First in Freedom" plate as provided in subsection (b) of this section. The design of the plates that are not "First in Flight" plates or "First in Freedom" plates must be developed in accordance with G.S. 20-79.4(a3). For special plates authorized in ~~G.S. 20-79.7~~ G.S. 20-79.4 on or after July 1, 2013, the Division may not issue the plate on a background under this subsection unless it receives at least 200 applications for the plate in addition to the applications required under G.S. 20-79.4 or G.S. 20-81.12.

...



1 (c1) Mental Illness and Developmental Disability Designation. – The Division shall
 2 develop, in consultation with the Department of Public Safety and the State Highway Patrol, an
 3 electronic designation for registration plates that may, upon request, be entered into the
 4 Division of Motor Vehicles database for those who have a mental illness, developmental
 5 disability, or co-occurring mental illness and developmental disability. An applicant requesting
 6 an electronic designation under this subsection shall come to the Division of Motor Vehicles
 7 for registration. There shall be a standard transaction fee set by the Division for this service.
 8 For purposes of this subsection, the terms "mental illness" and "developmental disability" have
 9 the same meanings as in G.S. 122C-3. Nothing in this subsection shall be construed as
 10 authorizing the issuance of a drivers license to a person ineligible under G.S. 20-9.

11 "

12 **SECTION 3.** G.S. 17C-2 is amended by adding a new subdivision to read:

13 "(3a) Crisis intervention training. – Training for criminal justice officers on how to
 14 interact with a person the officer knows or reasonably should know has a
 15 mental illness, developmental disability, or co-occurring mental illness and
 16 developmental disability. Training shall include all of the following:

- 17 a. Information on the cause and nature of the mental illness,
 18 developmental disability, or co-occurring mental illness and
 19 developmental disability.
- 20 b. How to identify and respond to a person who has a mental illness,
 21 developmental disability, or co-occurring mental illness and
 22 developmental disability.
- 23 c. Conflict resolution and de-escalation techniques for potentially
 24 dangerous situations involving a person who has a mental illness,
 25 developmental disability, or co-occurring mental illness and
 26 developmental disability.
- 27 d. Alternatives to physical or lethal force when interacting with a
 28 potentially dangerous person who has a mental illness,
 29 developmental disability, or co-occurring mental illness and
 30 developmental disability."

31 **SECTION 4.** G.S. 17C-6(a) reads as rewritten:

32 "(a) In addition to powers conferred upon the Commission elsewhere in this Chapter, the
 33 Commission shall have the following powers, which shall be enforceable through its rules and
 34 regulations, certification procedures, or the provisions of G.S. 17C-10:

35 ...

- 36 (2) Establish minimum educational and training standards that must be met in
 37 order to qualify for entry level employment and retention as a criminal
 38 justice officer in temporary or probationary status or in a permanent position.
 39 The standards for entry level employment shall include education and
 40 training in response to, and investigation of, domestic violence cases, ~~as well~~
 41 ~~as~~ training in investigation for evidence-based ~~prosecutions~~, ~~prosecutions,~~
 42 and crisis intervention training.

43 ...

- 44 (14) Establish minimum standards for in-service training for criminal justice
 45 officers. In-service training standards shall include training in response to,
 46 and investigation of, domestic violence cases, ~~as well as~~ training
 47 investigation for evidence-based ~~prosecutions~~, ~~prosecutions,~~
 48 and crisis intervention training.

49 "

50 **SECTION 5.** G.S. 17E-4(a) reads as rewritten:

1 "(a) The Commission shall have the following powers, duties, and responsibilities,
2 which are enforceable through its rules and regulations, certification procedures, or the
3 provisions of G.S. 17E-8 and G.S. 17E-9:

4 ...

5 (2) Establish minimum educational and training standards that may be met in
6 order to qualify for entry level employment as an officer in temporary or
7 probationary status or in a permanent position. The standards for entry level
8 employment of officers shall include training in response to, and
9 investigation of, domestic violence cases, ~~as well as training in investigation~~
10 for evidence-based ~~prosecutions~~prosecutions, and crisis intervention
11 training. For purposes of the domestic violence training requirement, the
12 term "officers" shall include justice officers as defined in G.S. 17E-2(3)a.,
13 except that the term shall not include "special deputy sheriffs" as defined in
14 G.S. 17E-2(3)a.;

15 ...

16 (11) Establish minimum standards for in-service training for justice officers.
17 In-service training standards shall include training in response to, and
18 investigation of, domestic violence cases, ~~as well as training in investigation~~
19 for evidence-based ~~prosecutions~~prosecutions, and crisis intervention
20 training. For purposes of the domestic violence training requirement, the
21 term "justice officer" shall include those defined in G.S. 17E-2(3)a., except
22 that the term shall not include "special deputy sheriffs" as defined in
23 G.S. 17E-2(3)a.

24 "

25 **SECTION 6.** This act becomes effective October 1, 2017.