

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019

H.B. 1149  
May 14, 2020  
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH10795-NDa-150A

Short Title: Police Notice of Person w/ IDD in Vehicle. (Public)

Sponsors: Representative Hawkins.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO DIRECT THE DIVISION OF MOTOR VEHICLES TO DEVELOP A  
3 DESIGNATION FOR DRIVERS LICENSES THAT MAY BE GRANTED UPON  
4 REQUEST TO A PERSON WITH AN INTELLECTUAL OR DEVELOPMENTAL  
5 DISABILITY AND TO APPROPRIATE FUNDS FOR THAT PURPOSE.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 20-7(q2) reads as rewritten:

8 "(q2) Special Designations. – The Division shall develop the following special designations  
9 in accordance with the provisions of this subsection:

10 (1) Deaf or Hard of Hearing Designation. – The Division shall develop, in  
11 consultation with the Department of Public Safety, the State Highway Patrol,  
12 the Division of Services for the Deaf and Hard of Hearing, and pursuant to  
13 this ~~subsection,~~ subdivision a drivers license designation that may, upon  
14 request, be granted to a person who is deaf or hard of hearing. The Division  
15 shall comply with the following requirements applicable to the designation:

16 (1)a. At the request of a person who is deaf or hard of hearing, the Division  
17 shall place a unique symbol on the front of the person's license. The  
18 unique symbol placed on the license shall not include any further  
19 descriptor. The Division shall record the designation in the electronic  
20 record associated with the person's drivers license.

21 (2)b. At the request of a person who is deaf or hard of hearing, the Division  
22 shall enter the drivers license symbol and a descriptor into the  
23 electronic record of any motor vehicle registered in the same name of  
24 the deaf or hard of hearing person.

25 (3)c. For the purposes of this ~~subsection,~~ subdivision a person shall be  
26 considered to be deaf or hard of hearing if they provide verification or  
27 documentation substantiating their hearing loss that is recommended  
28 by the Division of Services for the Deaf and the Hard of Hearing as  
29 acceptable. The Division of Motor Vehicles shall consult with the  
30 Division of Services for the Deaf and the Hard of Hearing to identify  
31 acceptable forms of verification that do not result in undue burden to  
32 the person requesting the designation of hearing loss. Acceptable  
33 documentation shall include any of the following:

34 a.1. Documentation of certification or examination by a medical,  
35 health, or audiology professional showing evidence of hearing  
36 loss.



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- 1                    ~~b.2.~~ Affidavit executed by the person, their parent, or guardian  
2                                       attesting to the person's hearing loss.
- 3                    ~~e.3.~~ Documentation deemed by the Division of Motor Vehicles to  
4                                       qualify as satisfactory proof of the person's hearing loss.
- 5                    (4)d. Nothing in this ~~subsection—subdivision~~ shall be construed as  
6                                       authorizing the issuance of a drivers license to a person ineligible  
7                                       under G.S. 20-9.
- 8                    (5)e. Nothing in this ~~subsection—subdivision~~ shall be construed as  
9                                       prohibiting the issuance of a drivers license to a person otherwise  
10                                       eligible under the law.
- 11                    (6)f. Any individual who chooses to register or not to register shall not be  
12                                       deemed to have waived any protections under the law.
- 13                    (7)g. Information collected under this ~~subsection—subdivision~~ shall only be  
14                                       available to law enforcement and only for the purpose of ensuring  
15                                       mutually safe interactions between law enforcement and persons who  
16                                       are deaf or hard of hearing. It shall not be accessed or used for any  
17                                       other purpose.
- 18                    (8)h. The right to make the decision for inclusion or removal of the  
19                                       designation from the database is entirely voluntary and shall only be  
20                                       made by the person who holds the drivers license associated with the  
21                                       designation.
- 22                    (9)i. The Division, in conjunction with the Department of Health and  
23                                       Human Services, shall develop a process for removal of the  
24                                       designation authorized by this ~~subsection—subdivision~~ that is available  
25                                       online, by mail, or in person.
- 26                    (2) Intellectual or Developmental Disability Designation. – The Division shall  
27                                       develop, in consultation with the Department of Public Safety, the State  
28                                       Highway Patrol, and the Department of Health and Human Services, Division  
29                                       of Mental Health, Developmental Disabilities and Substance Abuse Services,  
30                                       and pursuant to this subdivision, a drivers license designation that may, upon  
31                                       request, be granted to a person with an intellectual or developmental disability.  
32                                       The Division shall comply with the following requirements applicable to the  
33                                       designation:
- 34                                       a. At the request of a person with an intellectual or developmental  
35                                       disability, the Division shall place a unique symbol on the front of the  
36                                       person's license. The unique symbol placed on the license shall not  
37                                       include any further descriptor. The Division shall record the  
38                                       designation in the electronic record associated with the person's  
39                                       drivers license.
- 40                                       b. At the request of a person with an intellectual or developmental  
41                                       disability, the Division shall enter the drivers license symbol and a  
42                                       descriptor into the electronic record of any motor vehicle registered in  
43                                       the same name of the person with the intellectual or developmental  
44                                       disability.
- 45                                       c. For the purposes of this subdivision, a person shall be considered to  
46                                       have an intellectual or developmental disability if they provide  
47                                       verification or documentation substantiating their disability that is  
48                                       recommended by the Division of Mental Health, Developmental  
49                                       Disabilities and Substance Abuse Services, as acceptable. The  
50                                       Division of Motor Vehicles shall consult with the Division of Mental  
51                                       Health, Developmental Disabilities and Substance Abuse Services, to

1 identify acceptable forms of verification that do not result in undue  
2 burden to the person requesting the designation. Acceptable  
3 documentation shall include any of the following:

4 1. Documentation of certification or examination by a medical or  
5 mental health professional showing evidence of an intellectual  
6 or developmental disability.

7 2. Affidavit executed by the person, their parent, or guardian  
8 attesting to the person's intellectual or developmental  
9 disability.

10 3. Documentation deemed by the Division of Motor Vehicles to  
11 qualify as satisfactory proof of the person's intellectual or  
12 developmental disability.

13 d. Nothing in this subdivision shall be construed as authorizing the  
14 issuance of a drivers license to a person ineligible under G.S. 20-9.

15 e. Nothing in this subdivision shall be construed as prohibiting the  
16 issuance of a drivers license to a person otherwise eligible under the  
17 law.

18 f. Any individual who chooses to register or not to register shall not be  
19 deemed to have waived any protections under the law.

20 g. Information collected under this subdivision shall only be available to  
21 law enforcement and only for the purpose of ensuring mutually safe  
22 interactions between law enforcement and persons who have  
23 intellectual or developmental disabilities. It shall not be accessed or  
24 used for any other purpose.

25 h. The right to make the decision for inclusion or removal of the  
26 designation from the database is entirely voluntary and shall only be  
27 made by the person who holds the drivers license associated with the  
28 designation.

29 i. The Division, in conjunction with the Department of Health and  
30 Human Services, shall develop a process for removal of the  
31 designation authorized by this subdivision that is available online, by  
32 mail, or in person."

33 **SECTION 2.** G.S. 17C-6(a) is amended by adding a new subdivision to read:

34 "(17a) Establish minimum educational and training standards for employment and  
35 continuing education for criminal justice officers concerning:

36 a. Recognizing and appropriately interacting with persons with  
37 intellectual or developmental disabilities.

38 b. Drivers license and vehicle registration identifiers of persons with  
39 intellectual or developmental disabilities, as authorized by  
40 G.S. 20-7(q2), including that those identifiers are optional."

41 **SECTION 3.** G.S. 17E-4(a) is amended by adding a new subdivision to read:

42 "(13a) Establish minimum educational and training standards for employment and  
43 continuing education for officers concerning:

44 a. Recognizing and appropriately interacting with persons with  
45 intellectual or developmental disabilities.

46 b. Drivers license and vehicle registration identifiers of persons with  
47 intellectual or developmental disabilities, as authorized by  
48 G.S. 20-7(q2), including that those identifiers are optional."

1           **SECTION 4.** There is appropriated from the General Fund to the Department of  
2 Transportation, Division of Motor Vehicles, the sum of ten thousand dollars (\$10,000) in  
3 nonrecurring funds for the 2020-2021 fiscal year to implement the provisions of this act.

4           **SECTION 5.** This act becomes effective January 1, 2021.