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

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-7(q2) reads as rewritten:
"(q2) Special Designations. – The Division shall develop the following special designations
in accordance with the provisions of this subsection:

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

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

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

(c) For the purposes of this subsection, a person shall be
considered to be deaf or hard of hearing if they provide verification or
documentation substantiating their hearing loss that is recommended
by the Division of Services for the Deaf and the Hard of Hearing as
acceptable. The Division of Motor Vehicles shall consult with the
Division of Services for the Deaf and the Hard of Hearing to identify
acceptable forms of verification that do not result in undue burden to
the person requesting the designation of hearing loss. Acceptable
documentation shall include any of the following:
a. Documentation of certification or examination by a medical, health, or audiology professional showing evidence of hearing loss.

b. Affidavit executed by the person, their parent, or guardian attesting to the person's hearing loss.

e. Documentation deemed by the Division of Motor Vehicles to qualify as satisfactory proof of the person's hearing loss.

(4) Nothing in this subsection subdivision shall be construed as authorizing the issuance of a drivers license to a person ineligible under G.S. 20-9.

(5) Nothing in this subsection subdivision shall be construed as prohibiting the issuance of a drivers license to a person otherwise eligible under the law.

(6) Any individual who chooses to register or not to register shall not be deemed to have waived any protections under the law.

(7) Information collected under this subsection subdivision shall only be available to law enforcement and only for the purpose of ensuring mutually safe interactions between law enforcement and persons who are deaf or hard of hearing. It shall not be accessed or used for any other purpose.

(8) The right to make the decision for inclusion or removal of the designation from the database is entirely voluntary and shall only be made by the person who holds the drivers license associated with the designation.

(9) The Division, in conjunction with the Department of Health and Human Services, shall develop a process for removal of the designation authorized by this subsection subdivision that is available online, by mail, or in person.

(2) Intellectual or Developmental Disability Designation. – The Division shall develop, in consultation with the Department of Public Safety, the State Highway Patrol, and the Department of Health and Human Services, Division of Mental Health, Developmental Disabilities and Substance Abuse Services, and pursuant to this subdivision, a drivers license designation that may, upon request, be granted to a person with an intellectual or developmental disability. The Division shall comply with the following requirements applicable to the designation:

a. At the request of a person with an intellectual or developmental disability, the Division shall place a unique symbol on the front of the person's license. The unique symbol placed on the license shall not include any further descriptor. The Division shall record the designation in the electronic record associated with the person's drivers license.

b. At the request of a person with an intellectual or developmental disability, the Division shall enter the drivers license symbol and a descriptor into the electronic record of any motor vehicle registered in the same name of the person with the intellectual or developmental disability.

c. For the purposes of this subdivision, a person shall be considered to have an intellectual or developmental disability if they provide verification or documentation substantiating their disability that is recommended by the Division of Mental Health, Developmental
Disabilities and Substance Abuse Services, as acceptable. The Division of Motor Vehicles shall consult with the Division of Mental Health, Developmental Disabilities and Substance Abuse Services, to identify acceptable forms of verification that do not result in undue burden to the person requesting the designation. Acceptable documentation shall include any of the following:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

b. Drivers license and vehicle registration identifiers of persons with intellectual or developmental disabilities, as authorized by G.S. 20-7(q2), including that those identifiers are optional."
SEGMENT 4. There is appropriated from the General Fund to the Department of Transportation, Division of Motor Vehicles, the sum of ten thousand dollars ($10,000) in nonrecurring funds for the 2020-2021 fiscal year to implement the provisions of this act.

SEGMENT 5. This act becomes effective January 1, 2021.