



SENATE BILL 69: DMV Licensing Requirements.

2021-2022 General Assembly

Committee:	House Rules, Calendar, and Operations of the House	Date:	May 5, 2021
Introduced by:	Sens. Sawyer, McInnis, Britt	Prepared by:	Wendy Ray
Analysis of:	Fourth Edition		Staff Attorney

OVERVIEW: *Senate Bill 69 would amend graduated drivers licensing requirements by temporarily reducing the amount of time an applicant must hold a Level 1 limited learner's permit before applying for a Level 2 limited provisional license. The modification to requirements would expire on December 31, 2021.*

CURRENT LAW: Under the graduated driver's license statute (G.S. 20-11), there are three levels of driving privileges for persons less than 18 years old: Level 1 – limited learner's permit; Level 2 – limited provisional license; and Level 3 – full provisional license. (See the chart on page 2 for detailed requirements and restrictions for each level.) A teen must hold a Level 1 permit for at least 12 months, among other requirements, before being eligible to apply for a Level 2 license.

BILL ANALYSIS: Senate Bill 69 would amend graduated drivers licensing requirements and restrictions by reducing the amount of time a person is required to hold a Level 1 limited learner's permit before being eligible to apply for a Level 2 limited provisional license from 12 months to 9 months. However, an applicant would still have to be at least 16 years old before applying for a Level 2 and would have to meet all other current requirements, including logging 60 hours of driving experience.

EFFECTIVE DATE: The bill would be effective when it becomes law, but the modification would be temporary, applying to any person applying for a Level 2 limited provisional license on or after the effective date of the act and expiring on December 31, 2021.

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Legislative Analysis
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GRADUATED DRIVERS LICENSE PROVISIONS (G.S. 20-11)

	LEVEL 1 – Limited Learner's Permit	LEVEL 2 – Limited Provisional License	LEVEL 3 – Full Provisional License
REQUIREMENTS	<ul style="list-style-type: none"> • Eligible at 15. • Passes driver education course. • Passes DMV written test. • Has driving eligibility certificate, high school diploma, or equivalent. 	<ul style="list-style-type: none"> • Eligible at 16. • Has held a Level 1 permit for at least 12 months. • Has no convictions for moving violations, seat belt infractions, or violations of mobile phone prohibition within the last 6 months. • Passes DMV road test. • Has driving eligibility certificate, high school diploma, or equivalent. • 60 logged hours driving, 10 at night. 	<ul style="list-style-type: none"> • Eligible at 16.5. • Has held a Level 2 license for at least 6 months. • Has no convictions for moving violations, seat belt infractions, or violations of mobile phone prohibition within the last 6 months. • Has driving eligibility certificate, high school diploma, or equivalent. • 12 logged hours driving, 6 at night.
TIME RESTRICTIONS	<ul style="list-style-type: none"> • 5:00 am – 9:00 pm for first 6 months. • After 6 months, no restriction. 	<ul style="list-style-type: none"> • If supervised, no restriction. • If unsupervised: <ul style="list-style-type: none"> ○ 5:00 am – 9:00 pm. ○ Driving directly to or from work. ○ Driving directly to or from an activity of a volunteer fire department, rescue squad, or emergency medical service. 	NONE
SUPERVISION	Supervision required at all times, and the supervising driver must be seated beside the permit holder in the front seat of the vehicle.	When supervision is required, the supervising driver must be seated beside the license holder in the front seat of the vehicle.	NONE
PASSENGER LIMITATIONS	Only the supervising driver may be in the front seat.	If unsupervised: <ul style="list-style-type: none"> • Unlimited number of occupants over the age of 21. • Unlimited number of occupants who are family members or members of the same household. • Only one non-family member occupant under the age of 21, if no family member or household occupant is under 21. 	NONE
USE OF MOBILE PHONE	All use prohibited.	All use prohibited	Use prohibited except in emergencies and calling parent, guardian, or spouse.

*All drivers must be in possession of license or permit when driving, and every person occupying the vehicle must have a safety belt properly fastened or be restrained by child passenger restraint system when the vehicle is in motion.

*A "supervising driver" is a parent, grandparent, guardian, or responsible person approved by the parent, guardian, or DMV, who has been a licensed driver for at least five years.