

February 4, 1999

H 34. LOSE CONTROL LOSE YOUR LICENSE. PROVIDING FOR LOSS OF DRIVERS LICENSE WHEN CERTAIN PROVISIONAL LICENSEES COMMIT DESIGNATED ACTS. Amends GS 20-11(n), 20-13.2(c1), 115C-12(28), 115C-566, and other statutes to provide for the denial of a driving eligibility certificate or for revocation for one year of the driver's license or learner's permit of a student who has been expelled, suspended from school for more than 10 days, or assigned to an alternative educational setting for any of the following if the incident occurred after the student's 14th birthday or during or after eighth grade: (1) possession or sale of alcohol or a controlled substance on school property or school-sponsored or school-related activity on or off school property, (2) possession or use of a weapon or firearm on school property, or (3) assault and serious injury on a teacher or other school personnel.

Allows issuance of driving eligibility certificate (no earlier than six months after student would otherwise be eligible for driving eligibility certificate) and restoration of driver's permit or license if school certifies that the student (a) has "displayed exemplary student behavior" in alternative educational setting or after returning to school after expulsion or suspension, (b) in cases involving possession or sale of alcohol or controlled substances, has attended and successfully completed an appropriate drug or alcohol treatment counseling program, or (c) due to lack of other transportation, needs the certificate, permit, or license to drive to and from school, a drug or alcohol treatment counseling program, or a mental health treatment program. Requires State Board of Education and Sec'y of Administration to issue rules implementing new provisions regarding denial of driving eligibility certificate based on incidents described above and related matters. Makes corresponding changes to related statutes.

Most of these provisions are effective July 1, 2000, and apply only to conduct committed on or after July 1, 2000, but do not apply to a person who held a valid NC limited learner's permit, learner's permit, or provisional driver's license that was issued before Dec. 1, 1998.

Intro. by Hurley.

Ref. to Rules

GS 20, 115C, 115D