



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 636

APPROVED

AMENDMENT NO. 1  
(to be filled in by  
Principal Clerk)

S636-ASA-32 [v.1]

Page 1 of 3

Comm. Sub. [YES]  
Amends Title [YES]  
Third Edition

Date 6/16, 2011

Representative Daughtry

1 moves to amend the bill on page 1, lines 2-14  
2 by rewriting those lines to read:  
3 "AN ACT TO MODIFY THE LEVEL 2 RESTRICTIONS FOR PROVISIONAL LICENSES;  
4 TO REQUIRE A DRIVING LOG SHOWING SIXTY HOURS OF DRIVING TIME BY A  
5 PERSON WITH A LIMITED LEARNER'S PERMIT BEFORE A LEVEL 2 PROVISIONAL  
6 LICENSE MAY BE ISSUED; TO REQUIRE A DRIVING LOG SHOWING TWELVE  
7 HOURS OF DRIVING TIME BY A PROVISIONAL LICENSEE BEFORE A LEVEL 3  
8 PROVISIONAL LICENSE MAY BE ISSUED; TO REQUIRE AN IMMEDIATE  
9 REVOCATION OF A PROVISIONAL LICENSE IF THE PROVISIONAL LICENSEE IS  
10 CHARGED WITH CERTAIN MOVING VIOLATIONS; AND TO REQUIRE THE  
11 DIVISION OF MOTOR VEHICLES TO REPORT ON THE EFFECTIVENESS OF THE  
12 PROVISIONS OF THIS ACT.";

13  
14 And on page 1, line 16 through page 12, line 23  
15 By rewriting those lines to read:

16 "SECTION 1. G.S. 20-11(e) reads as rewritten:  
17 '(e) Level 2 Restrictions. – A limited provisional license authorizes the license holder to  
18 drive a specified type or class of motor vehicle only under the following conditions:

- 19 ...  
20 (2) The license holder may drive without supervision in any of the following  
21 circumstances:  
22 a. From 5:00 a.m. to 9:00 p.m.  
23 b. When driving directly to or from work.  
24 c. When driving directly to or from an activity of a volunteer fire  
25 department, volunteer rescue squad, or volunteer emergency medical  
26 service, if the driver is a member of the organization.

27 ....  
28 SECTION 2. G.S. 20-11(d) reads as rewritten:  
29 '(d) Level 2. – A person who is at least 16 years old but less than 18 years old may  
30 obtain a limited provisional license if the person meets all of the following requirements:

- 31 (1) Has held a limited learner's permit issued by the Division for at least 12  
32 months.



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Page 2 of 3

- 1           (2)    Has not been convicted of a motor vehicle moving violation or seat belt  
2                    infraction or a violation of G.S. 20-137.3 during the preceding six months.  
3           (3)    Passes a road test administered by the Division.  
4           (4)    Has a driving eligibility certificate or a high school diploma or its  
5                    equivalent.  
6           (5)    Has completed a driving log, on a form approved by the Division, detailing a  
7                    minimum of 60 hours as the operator of a motor vehicle of a class for which  
8                    the driver has been issued a limited learner's permit. The log must show at  
9                    least 10 hours of the required driving occurred during nighttime hours. No  
10                   more than 10 hours of driving per week may be counted toward the 60-hour  
11                   requirement. The driving log must be signed by the supervising driver and  
12                   submitted to the Division at the time the applicant seeks to obtain a limited  
13                   provisional license. If the Division has cause to believe that a driving log has  
14                   been falsified:  
15                    a.    The limited learner's permit holder shall be required to complete a  
16                    new driving log with the same requirements and shall not be eligible  
17                    to obtain a limited provisional license for six months.  
18                    b.    The supervising driver shall be required to pay a civil penalty of one  
19                    hundred dollars (\$100.00).  
20                    c.    The limited learner's permit holder and supervising driver shall have  
21                    the right to a hearing before the Division on the issue of whether or  
22                    not the driving log has been falsified.'

23           **SECTION 3.** G.S. 20-11(f) reads as rewritten:

- 24           '(f)    Level 3. – A person who is at least 16 years old but less than 18 years old may  
25           obtain a full provisional license if the person meets all of the following requirements:  
26                   (1)    Has held a limited provisional license issued by the Division for at least six  
27                    months.  
28                   (2)    Has not been convicted of a motor vehicle moving violation or seat belt  
29                    infraction or a violation of G.S. 20-137.3 during the preceding six months.  
30                   (3)    Has a driving eligibility certificate or a high school diploma or its  
31                    equivalent.  
32                   (4)    Has completed a driving log, on a form approved by the Division, detailing a  
33                    minimum of 12 hours as the operator of a motor vehicle of a class for which  
34                    the driver is licensed. The log must show at least six hours of the required  
35                    driving occurred during nighttime hours. The driving log must be signed by  
36                    the supervising driver for any hours driven outside the provisions of  
37                    subdivision (e)(2) of this section and submitted to the Division at the time  
38                    the applicant seeks to obtain a full provisional license. If the Division has  
39                    cause to believe that a driving log has been falsified:  
40                    a.    The limited provisional licensee shall be required to complete a new  
41                    driving log with the same requirements and shall not be eligible to  
42                    obtain a full provisional license for six months.

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Page 3 of 3

- 1                    b.    The supervising driver shall be required to pay a civil penalty of one
- 2    hundred dollars (\$100.00).
- 3                    c.    The limited provisional licensee and supervising driver shall have the
- 4    right to a hearing before the Division on the issue of whether or not
- 5    the driving log has been falsified.';

7    And on page 12, line 24 by deleting "SECTION 11." And inserting "SECTION 4.";

9    And on page 12, line 37 by deleting "19" and inserting "18";

11   And on page 12, lines 43-44 by deleting those lines;

13   And on page 12, lines 45-46 by rewriting those lines to read:  
14   "(b) Revocations for Provisional Licensees Charged With Criminal Moving Violation. – A  
15   provisional licensee's permit or license is subject to revocation under";

17   And on page 12, line 48  
18   by rewriting that line to read:  
19   "licensee has committed a criminal moving violation, the provisional";

21   And on page 13, line 8  
22   By rewriting that line to read:  
23   "initial appearance on the underlying criminal moving violation. If a";

25   And on page 13, line 40 by deleting "SECTION 12." And inserting "SECTION 5.";

27   And on page 14, lines 6-11  
28   By rewriting those lines to read:  
29        **"SECTION 6.** Sections 1, 2, and 3 of this act become effective October 1, 2011,  
30   and apply to limited learner's permits and limited provisional licenses issued on or after that  
31   date. Section 4 of this act becomes effective October 1, 2011, and applies to offenses  
32   committed on or after that date. The remainder of this act becomes effective October 1, 2011."

SIGNED *[Signature]*  
Amendment Sponsor

SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED 110-1 EV FAILED \_\_\_\_\_ TABLED \_\_\_\_\_

*File* JUN 16 2011 *Denise Weeks*

ADOPTED