

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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HOUSE BILL 322
Committee Substitute Favorable 4/8/13
PROPOSED SENATE COMMITTEE SUBSTITUTE H322-PCS70447-RW-62

Short Title: CDL Requirements/Military Experience.

(Public)

Sponsors:

Referred to:

March 18, 2013

1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW THE DIVISION OF MOTOR VEHICLES TO WAIVE THE
3 COMMERCIAL SKILLS TEST FOR RETIRED OR DISCHARGED MEMBERS OF
4 THE ARMED FORCES WHO ALSO SATISFY OTHER REQUIREMENTS.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 20-37.13(c1) reads as rewritten:

7 "(c1) The Division may waive the skills test for ~~applicants~~any qualified military applicant
8 at the time ~~they apply~~the applicant applies for a commercial drivers license if the applicant is
9 currently licensed at the time of application and meets all of the following:

- 10 (1) The applicant has passed all required written knowledge exams.
11 (2) The applicant has not, and certifies that the applicant has not, at any time
12 during the two years immediately preceding the date of application done any
13 of the following:
14 a. Had any drivers license or driving privilege suspended, revoked, or
15 ~~eaneelled;~~cancelled.
16 b. Had any convictions involving any kind of motor vehicle for the
17 offenses listed in G.S. 20-17 or had any convictions for the offenses
18 listed in ~~G.S. 20-17.4;~~G.S. 20-17.4.
19 c. Been convicted of a violation of military, State~~State,~~ or local laws
20 relating to motor vehicle traffic control, other than a parking
21 violation, which violation arose in connection with any reportable
22 traffic ~~accident;~~or accident.
23 d. Refused to take a chemical test when charged with an implied
24 consent offense, as defined in G.S. 20-16.2.
25 e. Had more than one drivers license, except for a drivers license issued
26 by the military.

- 27 (3) The applicant certifies, and provides satisfactory evidence on the date of
28 application, that the applicant is a retired, discharged, or current member of
29 an active or reserve component of the Armed Forces of the United States and
30 is regularly employed or was regularly employed within the 90-day period
31 immediately preceding the date of application in a job~~military position~~
32 requiring the operation of a commercial motor vehicle, and the applicant
33 either:~~meets either of the following requirements:~~

- 34 a. ~~Has previously taken and successfully completed a skills test that~~
35 ~~was administered by a state with a classified licensing and testing~~



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- 1 ~~system and the test was behind the wheel in a vehicle representative~~
- 2 ~~of the class and, if applicable, the type of commercial motor vehicle~~
- 3 ~~for which the applicant seeks to be licensed; or~~
- 4 b. Has operated for the two-year period immediately preceding the date
- 5 of application a vehicle representative of the class and, if applicable,
- 6 the type of commercial motor vehicle for which the applicant seeks
- 7 to be licensed, and has taken and successfully completed a skills test
- 8 administered by the military.
- 9 c. For an applicant who is a retired or discharged member of an active
- 10 or reserve component of the Armed Forces of the United States, the
- 11 applicant (i) has operated for the two-year period immediately
- 12 preceding the date of retirement or discharge a vehicle representative
- 13 of the class and, if applicable, the type of commercial motor vehicle
- 14 for which the applicant seeks to be licensed, and has taken and
- 15 successfully completed a skills test administered by the military, (ii)
- 16 has retired or received either an honorable or general discharge, and
- 17 (iii) has retired or been discharged from the Armed Forces within the
- 18 90-day period immediately preceding the date of application."

19 **SECTION 2.** This act is effective when it becomes law.