

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2017

FILED SENATE  
Mar 21, 2017  
S.B. 327  
PRINCIPAL CLERK

S

D

SENATE BILL DRS45245-MS-6 (11/07)

Short Title: Drivers With Disabilities and Law Enforcement. (Public)

Sponsors: Senator Tillman (Primary Sponsor).

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR A VOLUNTARY DESIGNATION ON DRIVERS LICENSES AND REGISTRATION PLATES FOR NORTH CAROLINA RESIDENTS WITH A MENTAL ILLNESS, DEVELOPMENTAL DISABILITY, OR CO-OCCURRING MENTAL ILLNESS AND DEVELOPMENTAL DISABILITY AND TO REQUIRE TRAINING FOR LAW ENFORCEMENT OFFICERS ON HOW TO INTERACT WITH A PERSON THE OFFICER KNOWS OR REASONABLY SHOULD KNOW HAS A MENTAL ILLNESS, DEVELOPMENTAL DISABILITY, OR CO-OCCURRING MENTAL ILLNESS AND DEVELOPMENTAL DISABILITY.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 20-7 is amended by adding a new subsection to read:

"(q2) Mental Illness and Developmental Disability Designation. – The Division shall develop, in consultation with the Department of Public Safety and the State Highway Patrol, an electronic designation in the Division of Motor Vehicles database for drivers that may, upon request, be granted to North Carolina residents with a mental illness, developmental disability, or co-occurring mental illness and developmental disability. An applicant requesting an electronic designation under this subsection shall come to the Division of Motor Vehicles for registration. There shall be a standard transaction fee set by the Division for this service. For purposes of this subsection, the terms "mental illness" and "developmental disability" have the same meanings as in G.S. 122C-3. Nothing in this subsection shall be construed as authorizing the issuance of a drivers license to a person ineligible under G.S. 20-9."

**SECTION 2.** G.S. 20-63 reads as rewritten:

**"§ 20-63. Registration plates furnished by Division; requirements; replacement of regular plates with First in Flight plates or First in Freedom plates; surrender and reissuance; displaying; preservation and cleaning; alteration or concealment of numbers; commission contracts for issuance.**

...

(b1) The following special registration plates do not have to be a "First in Flight" plate or "First in Freedom" plate as provided in subsection (b) of this section. The design of the plates that are not "First in Flight" plates or "First in Freedom" plates must be developed in accordance with G.S. 20-79.4(a3). For special plates authorized in ~~G.S. 20-79.7~~ G.S. 20-79.4 on or after July 1, 2013, the Division may not issue the plate on a background under this subsection unless it receives at least 200 applications for the plate in addition to the applications required under G.S. 20-79.4 or G.S. 20-81.12.

...



1       (c1) Mental Illness and Developmental Disability Designation. – The Division shall  
2 develop, in consultation with the Department of Public Safety and the State Highway Patrol, an  
3 electronic designation for registration plates that may, upon request, be entered into the  
4 Division of Motor Vehicles database for those who have a mental illness, developmental  
5 disability, or co-occurring mental illness and developmental disability. An applicant requesting  
6 an electronic designation under this subsection shall come to the Division of Motor Vehicles  
7 for registration. There shall be a standard transaction fee set by the Division for this service.  
8 For purposes of this subsection, the terms "mental illness" and "developmental disability" have  
9 the same meanings as in G.S. 122C-3. Nothing in this subsection shall be construed as  
10 authorizing the issuance of a drivers license to a person ineligible under G.S. 20-9.

11       ...."

12       **SECTION 3.** G.S. 17C-2 is amended by adding a new subdivision to read:

13       "(3a) Crisis intervention training. – Training for criminal justice officers on how to  
14 interact with a person the officer knows or reasonably should know has a  
15 mental illness, developmental disability, or co-occurring mental illness and  
16 developmental disability. Training shall include all of the following:

17       a. Information on the cause and nature of the mental illness,  
18 developmental disability, or co-occurring mental illness and  
19 developmental disability.

20       b. How to identify and respond to a person who has a mental illness,  
21 developmental disability, or co-occurring mental illness and  
22 developmental disability.

23       c. Conflict resolution and de-escalation techniques for potentially  
24 dangerous situations involving a person who has a mental illness,  
25 developmental disability, or co-occurring mental illness and  
26 developmental disability.

27       d. Alternatives to physical or lethal force when interacting with a  
28 potentially dangerous person who has a mental illness,  
29 developmental disability, or co-occurring mental illness and  
30 developmental disability."

31       **SECTION 4.** G.S. 17C-6(a) reads as rewritten:

32       "(a) In addition to powers conferred upon the Commission elsewhere in this Chapter, the  
33 Commission shall have the following powers, which shall be enforceable through its rules and  
34 regulations, certification procedures, or the provisions of G.S. 17C-10:

35       ...

36       (2) Establish minimum educational and training standards that must be met in  
37 order to qualify for entry level employment and retention as a criminal  
38 justice officer in temporary or probationary status or in a permanent position.  
39 The standards for entry level employment shall include education and  
40 training in response to, and investigation of, domestic violence cases, ~~as well~~  
41 ~~as~~ training in investigation for evidence-based ~~prosecutions~~, ~~prosecutions,~~  
42 and crisis intervention training.

43       ...

44       (14) Establish minimum standards for in-service training for criminal justice  
45 officers. In-service training standards shall include training in response to,  
46 and investigation of, domestic violence cases, ~~as well as~~ training  
47 investigation for evidence-based ~~prosecutions~~, ~~prosecutions,~~ and crisis  
48 intervention training.

49       ...."

50       **SECTION 5.** G.S. 17E-4(a) reads as rewritten:

1       "(a) The Commission shall have the following powers, duties, and responsibilities,  
2 which are enforceable through its rules and regulations, certification procedures, or the  
3 provisions of G.S. 17E-8 and G.S. 17E-9:

4       ...

5       (2) Establish minimum educational and training standards that may be met in  
6 order to qualify for entry level employment as an officer in temporary or  
7 probationary status or in a permanent position. The standards for entry level  
8 employment of officers shall include training in response to, and  
9 investigation of, domestic violence cases, ~~as well as training in investigation~~  
10 for evidence-based ~~prosecutions~~prosecutions, and crisis intervention  
11 training. For purposes of the domestic violence training requirement, the  
12 term "officers" shall include justice officers as defined in G.S. 17E-2(3)a.,  
13 except that the term shall not include "special deputy sheriffs" as defined in  
14 G.S. 17E-2(3)a.;

15       ...

16       (11) Establish minimum standards for in-service training for justice officers.  
17 In-service training standards shall include training in response to, and  
18 investigation of, domestic violence cases, ~~as well as training in investigation~~  
19 for evidence-based ~~prosecutions~~prosecutions, and crisis intervention  
20 training. For purposes of the domestic violence training requirement, the  
21 term "justice officer" shall include those defined in G.S. 17E-2(3)a., except  
22 that the term shall not include "special deputy sheriffs" as defined in  
23 G.S. 17E-2(3)a.

24       ...."

25       **SECTION 6.** This act becomes effective October 1, 2017.