

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2019

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HOUSE BILL 1189

PROPOSED COMMITTEE SUBSTITUTE H1189-PCS10840-TC-61

Short Title: Driver Education COVID-19 Response.

(Public)

Sponsors:

Referred to:

May 26, 2020

A BILL TO BE ENTITLED

1 AN ACT TO PROVIDE ACCOMMODATIONS FOR DRIVER EDUCATION  
2 COURSEWORK INTERRUPTED BY SCHOOL CLOSURES AND TO ENSURE  
3 SUFFICIENT FUNDING FOR BEHIND-THE-WHEEL DRIVING INSTRUCTION TO BE  
4 PROVIDED TO ALL STUDENTS ENROLLED IN DRIVER EDUCATION IN THE  
5 SPRING SEMESTER OF 2020; AND TO REQUIRE THE DIVISION OF MOTOR  
6 VEHICLES TO TEMPORARILY WAIVE THE ROAD TEST REQUIREMENT.  
7

8 The General Assembly of North Carolina enacts:

9 **SECTION 1.** Notwithstanding G.S. 115C-215(b)(1), (2), (4), and (5) and  
10 G.S. 115C-216, and the requirements of State Board of Education Policy DRIV-0004, for  
11 students enrolled in classroom driver education between January 2020 and March 16, 2020, in a  
12 public school or a licensed commercial driver training school, students shall be deemed to have  
13 completed all classroom instruction requirements for driver education if the student completed  
14 at least 15 hours of classroom instruction prior to March 16, 2020. A student who has not  
15 completed at least 15 hours of classroom instruction may be offered the opportunity to take and  
16 pass the proficiency examination developed by the Department of Public Instruction, as provided  
17 in the State Board of Education Policy DRIV-0004, to waive the classroom instruction  
18 requirement. All students enrolled in driver education in the spring semester of 2020 shall be  
19 required to complete a minimum of six hours of behind-the-wheel instruction before being issued  
20 a North Carolina Driver Education Completion Certificate. Public schools are authorized to  
21 resume driver education programs in accordance with guidance issued by the Department of  
22 Public Instruction.

23 **SECTION 2.(a)** Notwithstanding G.S. 20-7 and G.S. 20-11, the Division of Motor  
24 Vehicles shall waive the requirement that an applicant pass a road test in order to obtain a regular  
25 drivers license or limited provisional license and shall issue and send to an applicant a temporary  
26 regular license or a temporary limited provisional license, subject to the following conditions: (i)  
27 the applicant meets all the other requirements for the applicable license and (ii) the applicant  
28 furnishes to the Division proof of financial responsibility that meets the requirements of Article  
29 9A of Chapter 20 of the General Statutes.

30 **SECTION 2.(b)** A temporary license issued pursuant to this section shall expire no  
31 later than 90 days from the date of issue. If the Division has not resumed administering regularly  
32 scheduled road tests, the Division may issue additional temporary licenses pursuant to the  
33 conditions of this section.

34 **SECTION 2.(c)** This section expires when the Division resumes administering  
35 regularly scheduled road tests but no later than 180 days from the effective date of this act.



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1           **SECTION 3.(a)** There is appropriated from the General Fund to the Department of  
2 Public Instruction the sum of ten million dollars (\$10,000,000) in nonrecurring funds for the  
3 2020-2021 fiscal year for the driver education allotment. These funds shall be allotted pro rata to  
4 local school administrative units based on the amount of funds that reverted to the Civil Penalty  
5 and Forfeiture Fund from each unit's driver education allotment on June 30, 2020.

6           **SECTION 3.(b)** This section becomes effective July 1, 2020.

7           **SECTION 4.** Except as otherwise provided herein, this act is effective when it  
8 becomes law.