



# SENATE BILL 61: Ltd. License/Driving to School Past 9:00.

2017-2018 General Assembly

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<b>Committee:</b>	Senate Judiciary. If favorable, re-refer to Rules and Operations of the Senate	<b>Date:</b>	February 28, 2017
<b>Introduced by:</b>	Sens. Bishop, J. Davis	<b>Prepared by:</b>	Jennifer H. Bedford*
<b>Analysis of:</b>	First Edition		Committee Counsel

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**SUMMARY:** *Senate Bill 61 would amend the law regarding graduated drivers license privileges for drivers under the age of 18.*

**CURRENT LAW:** Under the graduated drivers license statute (G.S. 20-11), there are three levels of driving privileges for persons less than 18 years old:

- Level 1 is a limited learners permit.
- Level 2 is a limited provisional license.
- Level 3 is a full provisional license.

(See chart on page 2 for requirements and restrictions for each level.)

### BILL ANALYSIS:

Currently limited provisional licensees (Level 2) are authorized to drive without supervision:

- From 5:00 a.m. to 9:00 p.m.
- When driving to or from work.
- When driving to a volunteer fire department, rescue squad, or emergency medical service activity.

**Senate Bill 61** would authorize a limited provisional license (Level 2) holder to drive to or from class without supervision past 9:00 p.m.

**EFFECTIVE DATE:** The act would become effective when it becomes law.

\*Staff Attorney Wendy Graf Ray contributed to this summary.

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# Senate Bill 61

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## GRADUATED DRIVERS LICENSE PROVISIONS (G.S. 20-11)

	<b>LEVEL 1 – Limited Learner's Permit</b>	<b>LEVEL 2 – Limited Provisional License</b>	<b>LEVEL 3 – Full Provisional License</b>
<b>REQUIREMENTS</b>	<ul style="list-style-type: none"> <li>• 15-17 years old</li> <li>• Passes driver. education course</li> <li>• Passes DMV written test.</li> <li>• Has driving eligibility certificate, high school diploma, or equivalent.</li> </ul>	<ul style="list-style-type: none"> <li>• 16-17 years old</li> <li>• Has held a Level 1 permit for at least 12 months.</li> <li>• Has no convictions for moving violations, seat belt infractions, or violations of mobile phone use restrictions within the last 6 months.</li> <li>• Passes DMV road test.</li> <li>• Has driving eligibility certificate, high school diploma, or equivalent.</li> <li>• 60 logged hours driving.</li> </ul>	<ul style="list-style-type: none"> <li>• 16-17 years old.</li> <li>• Has held a Level 2 license for at least 6 months.</li> <li>• Has no convictions for moving violations, seat belt infractions, or violations of mobile phone use restrictions within the last 6 months.</li> <li>• Has driving eligibility certificate, high school diploma, or equivalent.</li> <li>• 12 logged hours driving.</li> </ul>
<b>TIME RESTRICTIONS</b>	<ul style="list-style-type: none"> <li>• 5:00 a.m. – 9:00 p.m. for first 6 months.</li> <li>• Anytime after 6 months.</li> </ul>	<ul style="list-style-type: none"> <li>• If supervised, anytime.</li> <li>• If unsupervised:               <ul style="list-style-type: none"> <li>○ 5:00 a.m. – 9:00 p.m.;</li> <li>○ Driving to or from work; or</li> <li>○ Driving to or from an activity of a volunteer fire department, rescue squad, or emergency medical service.</li> </ul> </li> </ul>	NONE
<b>SUPERVISION</b>	Supervision is required at all times, and the supervising driver must be seated beside the permit holder in the front seat of the vehicle.	When supervision is required, the supervising driver must be seated beside the license holder in the front seat of the vehicle.	NONE
<b>PASSENGER LIMITATIONS</b>	Only the supervising driver may be in the front seat.	If unsupervised: <ul style="list-style-type: none"> <li>• Unlimited number of occupants over the age of 21.</li> <li>• Unlimited number of occupants who are family members or members of the same household.</li> <li>• Only one non-family member occupant under the age of 21, but only if no family member occupant or occupant from the same household is under the age of 21.</li> </ul>	NONE
<b>USE OF MOBILE PHONE</b>	All use prohibited	All use prohibited	Use prohibited except: <ul style="list-style-type: none"> <li>• Emergencies</li> <li>• Calling parent, legal guardian, or spouse</li> </ul>

\*All drivers must be in possession of license or permit when driving, and every person occupying the vehicle must have a safety belt properly fastened or be restrained by child passenger restraint system when the vehicle is in motion.

\*A "supervising driver" is a parent, grandparent, guardian, or responsible person approved by the parent, guardian or DMV, who has been a licensed driver for at least five years.