

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021**

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**HOUSE BILL 359
Committee Substitute Favorable 4/28/21**

Short Title: Driver Eligibility Cert. Waiver & Restore.

(Public)

Sponsors:

Referred to:

March 24, 2021

1 A BILL TO BE ENTITLED
2 AN ACT TO TEMPORARILY WAIVE REQUIREMENTS THAT RELATE TO DRIVING
3 ELIGIBILITY CERTIFICATES AND TO RESTORE CERTAIN PERMITS AND
4 PROVISIONAL LICENSES REVOKED DUE TO CERTIFICATE INELIGIBILITY.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.(a)** New Applicant Waiver. – Notwithstanding the provisions of
7 G.S. 20-11(b), (d), (f), (h), and (n), the Division of Motor Vehicles shall waive the requirement
8 that an applicant for a limited learner's permit or provisional license have a driving eligibility
9 certificate or a high school diploma or its equivalent to obtain the limited learner's permit or
10 provisional license if the applicant meets all other requirements.

11 **SECTION 1.(b)** This section is effective when it becomes law and applies to
12 applications for limited learner's permits and provisional licenses submitted on or after that date.
13 Subsection (a) of this section expires on the last day of the 2021-2022 school year.

14 **SECTION 1.(c)** A person holding a limited learner's permit or provisional license
15 obtained with a waiver under subsection (a) of this section on the date subsection (a) of this
16 section expires is not required to have a driving eligibility certificate for the permit or license to
17 remain valid until its expiration or until the person applies for the next applicable level of
18 provisional license.

19 **SECTION 2.(a)** Performance Revocation Waiver. – Notwithstanding the provisions
20 of G.S. 20-13.2(c1), the Division of Motor Vehicles shall not revoke the permit or provisional
21 license of a person upon receipt of notification from the proper school authority that the person
22 no longer meets the requirements for a driving eligibility certificate under G.S. 20-11(n)(1).

23 **SECTION 2.(b)** This section is effective when it becomes law and expires on the
24 last day of the 2021-2022 school year.

25 **SECTION 3.(a)** Past Performance Revocation Restoration. – The Division of Motor
26 Vehicles shall restore the permit or license of any person whose permit or license was revoked
27 by the Division under G.S. 20-13.2(c1) due to ineligibility for a driving eligibility certificate
28 under G.S. 20-11(n)(1). For restorations granted under this section, the Division shall not charge
29 a restoration fee and the Division must expunge any record of revocation from the person's
30 driving record.

31 **SECTION 3.(b)** This section is effective when it becomes law and applies to
32 revocations resulting from notifications of ineligibility received by the Division dated on or after
33 the first day of the 2020-2021 school year through the effective date of this section.

34 **SECTION 4.** School Notification Modifications. – Notwithstanding
35 G.S. 115C-12(28), 115C-218.70, 115C-288(k), 115C-566, and 115D-5(a3), the requirement that
36 a proper school authority provide notifications to the Division of Motor Vehicles that a person



1 no longer meets the eligibility requirements or conditions for a driving eligibility certificate under
2 G.S. 20-11(n)(1) is waived for the 2020-2021 and 2021-2022 school years.
3 **SECTION 5.** Except as otherwise provided, this act is effective when it becomes
4 law.