

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019**

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**HOUSE BILL 1189
Committee Substitute Favorable 6/2/20**

Short Title: Driver Education COVID-19 Response.

(Public)

Sponsors:

Referred to:

May 26, 2020

A BILL TO BE ENTITLED

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

The General Assembly of North Carolina enacts:

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

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

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

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



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.